


FORM OF ORDER SHEET

Court of _____

Appeal No. 1374/2023

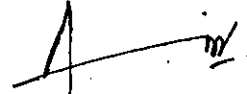
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/06/2023	<p>The appeal of Mr. Bashir Ahmad resubmitted today by Mr. Amjad Ali Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p style="text-align: right;">By the order of Chairman  REGISTRAR</p>

The appeal of Mr. Bashir Ahmad son of Taj Muhammad r/o village Khuda Khel post office Karnal Sher Kalle Swabi received today i.e on 13.06.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 5 days.

- 1- Appeal has not been flagged/marked with annexures marks.
- 2- Annexures of the appeal are unattested.
- 3- Nine Copies/sets of the appeal along with annexures i.e complete in all respect may also be submitted with the appeal.

No. 1755 /S.T,

Dt. 14/6 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Amjad Ali (Mardan) Adv.
High Court Peshawar.

8/6 | Resubmitted after completion
Amjad Ali
Mardan
20/6/23

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 1371 /2023

Bashir Ahmad S/O Taj Muhammad R/O Mohallah Khudar Khel Post
Office Karnal Sher Kalle Swabi

.....Appellant

VERSUS

Govt of KP through Secretary Health at Civil Secretariat Peshawar and
others

.....Respondents


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Through

Appellant


Amjad Ali (Mardan)
Advocate
Supreme Court

Dated: 13/06/2023

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 1374 /2023

Bashir Ahmad S/O Taj Muhammad R/O Mohallah Khudar Khel
Post Office Karnal Sher Kalle Swabi

.....Appellant

VERSUS

- 5949
13/6/2023
1. Govt of KP through Secretary Health at Civil Secretariat Peshawar
 2. Chief Secretary KP at Civil Secretariat Peshawar
 3. Director General Health Services at Directorate of Health Services, Warsak Road, Peshawar
 4. Section Officer-III, Directorate Health at Directorate of Health Services, Warsak Road, Peshawar
 5. District Health Officer Swabi at DHO Office Swabi
 6. Secretary Health KP at Civil Secretariat Peshawar
 7. Provincial Selection Board for promotion to the post of Senior Clinical Technologist BPS-18 through Secretary Health at Civil Secretariat Peshawar

.....Respondents

Appeal under section 4 of Service Tribunal Act against the appellate order dated 19/05/2023 passed by respondent no 4 addressed to respondent no 3 wherein the departmental appeal of the appellant is regretted on the ground that appellant retired from service on 23.04.2020 before the recommendation of the Provincial Selection Board (PSB) on 31.07.2020 which is illegal against law and facts.

Respected Sir,

Appellant humbly submits as under:

1. That appellant was appointed as Medical Practitioner (BPS-07) vide appointment order dated 21/02/1982.
2. That appellant was promoted from BPS-7 to BPS-9.
3. That appellant was thereafter granted selection grade from BPS-9 to BPS-11 vide order dated 26/09/1990 (Copy of the office order dated 26/09/1990 is attached as Annexure A)
4. That appellant was promoted from BPS-9 to BPS-12 as senior Medical Technician vide order dated 01/11/1999 (Copy of the promotion order dated 01/11/1999 is attached as Annexure B)

5. That appellant was promoted from BPS-12 to BPS-14 vide office order dated 31/05/2010 **(Copy of the promotion order dated 31/05/2010 is attached as Annexure C)**
6. That appellant is upgraded from Chief Primary Health Care Technician (MP) BPS-16 and Senior Primary Health Care Technician (MP) BPS-14 to the post of Primary Health Care Technologist (MP) BPS-17 vide departmental notification of even number dated 11/05/2020, as visible from posting order dated 29/08/2012 **(Copy of the posting order dated 29/08/2012 is attached as Annexure D)**
7. That vide notification dated 15/05/2018, the competent authority approved the proposal to enhance the ratio/restructuring of paramedic staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as shown in the table therein **(Copy of the notification dated 15/05/2018 is attached as Annexure E)**
8. That as per working papers for provincial Selection Board, 284 posts were upgraded to senior clinical technologist (BPS-18) during ratio enhancement/restructuring of paramedical staff health department and MTI for availing promotion due to anomalous allocation in different scale duly signed by Secretary Health. **(Copy of working paper is attached as Annexure F)**
9. That panel proforma for provincial selection Board regarding appellant is prepared wherein appellant is shown in BPS-17 with 6x very good and 1x good ACR in score PERS as 73.8 duly signed by concerned section officer III **(Copy of panel proforma for Provincial Selection Board is attached as Annexure G)**
10. That ever since 15/05/2018 and later on Selection Board, respondents malafidely, arbitrarily, in a perverse manner, kept sleeping over the consideration of appellant for promotion to Senior Clinical Technologist (BPS-18) from BPS-17 (Clinical Technologist).
11. That this omission/inaction of respondents continued till 23/04/2020, when appellant was retired vide notification dated 23/04/2020 **(Copy of the notification dated 9th July 2020 is attached as Annexure G-1)**
12. That panel of officers for consideration for promotion to BPS-18 include appellant as Serial No 11 **(Copy of the panel of officers for consideration is attached as Annexure H)**
13. That appellant is at serial no 14 in final joint seniority list of technologist (BPS-17) as stood on 15/04/2019 **(Copy of the seniority list is attached as Annexure I)**
14. That appellant filed appeal dated 21/07/2020 for formal promotion order to Senior Clinical Technologist (BPS-18) before District Health Officer Swabi through proper channel which is forwarded vide order no 8022/PF DHO Office Swabi dated 27/10/2020 **(Copy of the departmental appeal dated 21/07/2020 along with covering letter dated 27/10/2020 is attached as Annexure J)**

15. That thereafter appellant constantly was running and pursuing his request/appeal mentioned above, orally and in writing, inspite of old age in offices of DG Health and Secretary Health/Chief Secretary but of no use **(Copies of applications are attached as Annexure K)**
16. That appellant filed writ petition no 3820-P/2022 titled as Bashir Ahmad versus Govt of KP before the Honorable Peshawar High Court Peshawar which is disposed of vide order dated 22.11.2022 in the following terms: **(Copy of the writ petition along with order dated 22.11.2022 is attached as Annexure L)**

“2. The moment, the case was taken up for hearing, learned counsel for petitioner stated that he will not press this petition, provided the respondents are directed to decide the departmental appeal filed by the petitioner which is pending for the last two years. Learned AAG was put on notice who requested for time to consult the relevant quarter. After a while he turned up and stated that the departmental appeal of petitioner shall be decided within a fortnight positively.

3. In view of above, the instant writ petition is disposed off accordingly.”

17. That the departmental appeal of the appellant is regretted vide order dated 19th May 2023 passed by respondent no 4 addressed to respondent no 3 wherein the departmental appeal of the appellant is regretted on the ground that appellant stood retired from service on 23.04.2020 before the recommendation of the Provincial Selection Board (PSB) on 31.07.2020 which is illegal against law and facts on the following grounds: **(Copy of the impugned order dated 19th May 2023 is attached as Annexure M)**

GROUNDS

- A. Because appellant can't be blamed/penalized for the inaction/omission of the respondents.
- B. Because the inaction/omission of the respondents is illegal, without lawful authority, without justification consequently perverse, fanciful, arbitrary, coram non iudice and based on malafide.
- C. Because the impugned appellate order dated 19th May 2023 is illegal against law and facts.
- D. Because the appellant is admittedly eligible for promotion and the inaction of the respondents to convene DPC/PSB in due time is illegal and appellant cannot be penalized for the inaction/omission of the respondents
- E. Because appellant by no stretch of imagination can be deprived of fruits of notification dated 15/05/2018 for restructuring and

enhanced ratio of restructuring of paramedic staff of Health Department in higher grades.

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- F. Because appellant can't be deprived of the benefits of promotion to the desired post with effect from 15/05/2018 with all back benefits.
- G. Because as per consistent judgments of High Court/Supreme Court, to be promoted to a higher post is not a vested right but consideration for promotion to the higher post is a vested right of the appellant.
- H. Because appellant fulfills all the criteria for promotion to the higher post much earlier than the notification of restructuring/availability of vacancies on 15/05/2018.
- I. Because mere a formal order of promotion over the recommendation of PSB/DPC was needed on 15/05/2018 in a reasonable time.
- J. Because reasonable time cannot be stretched for multiple years.
- K. Because it is inalienable right of the appellant to be considered for promotion.
- L. Because as per Article 4 of Constitution of Pakistan 1973, it is fundamental right of the appellant as well as every citizen of Pakistan to be dealt in accordance with law, therefore appellant has a fundamental right to be considered for promotion to the higher post.
- M. Because appellant can't be kept in one grade for multiple years/decades without any prospect or potential promotion.
- N. Because appellant has been discriminated to the extent of non-consideration for promotion which inaction/omission is a clear discrimination as per Article 27 of the Constitution of Pakistan 1973 as other similarly placed employees are regularly considered for promotion in the Health Department as well as other Departments of the Provincial Government.
- O. Because in the instant case, the respondents are not disputing eligibility/ineligibility and fitness/unfitness, rather the eligibility as well as fitness is admitted by the respondents.
- P. Because the requisite of available vacancy and ratio of a particular class of employees has also been clarified through their own notification dated 15/05/2018.
- Q. Because the issue involved in this case is that the respondents are not acting upon their own notification dated 15/05/2018 wherein vacancies and ratio was created/clarified for the appellants and thereafter formal convening of PSB/DPC whereas working papers were also admittedly prepared for the same.
- R. Because in an identical case, this Honorable Tribunal service appeal no 797/2018 titled as Muhammad Saeed versus Govt of KP vide judgment dated 20.12.2022 allowed the service appeal and directed the respondents to consider the appellant for

proforma/notional promotion from the due date (Copy of the judgment dated 20.12.2022 is attached as Annexure N)

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- S. Because as per FR-17, appellant is entitled for pay and allowances of higher post w.e.f 15/05/2018. F.R 17 reads as under:

"F. R. 17. (1) Subject to any exceptions specifically made in these rules and to the provisions of sub-rule (2), an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties. [:]

[Provided that the [appointing authority] may, if satisfied that a civil servant who was entitled to be promoted from a particular date was, for no fault of his own, wrongfully prevented from rendering service to the Federation in the higher post, direct that such civil servant shall be paid the arrears of pay and allowances of such higher post through proforma promotion or up-gradation arising from the ante-dated fixation of his seniority."

- T. Because as per 2023 PLC (C.S) 336, If a person is not considered due to any administrative slip-up, error or delay when the right to be considered for promotion is matured and without such consideration, he reaches to the age of superannuation before the promotion, then obviously the avenue or pathway of proforma promotion comes into field for his rescue (Copy of the judgment reported in 2023 PLC (C.S) 336 is attached as Annexure O)
- U. Because non-considering appellant for promotion and not giving effect to their own notification dated 15/05/2018 is a recurring cause of action which arises to the appellant at the end of every month.
- V. Because appellant has not received the benefits of higher scale and is jobless after retirement and therefore entitled to proforma promotion w.e.f notification dated 15/05/2018 with all back benefits when posts were made available.

It is therefore humbly prayed that on acceptance of this service appeal,

- I. Inaction/Omission of the respondents to convene PSB/DPC in due time and act upon its recommendation and give effect to notification dated 15/05/2018 of restructuring/enhanced ratio of promotion to higher grades is perverse, illegal, malafidely, without lawful authority, coram non judice and ineffective upon the rights of the appellant.
- II. Impugned appellate order dated 19th May 2023 passed by respondent no 4 addressed to respondent no 3 wherein the departmental appeal of the appellant is regretted on the ground that appellant stood retired from service on 23.04.2020 before the recommendation of the Provincial Selection Board (PSB) on 31.07.2020 may please be declared as illegal, against law and

facts, without lawful authority, ineffective upon the rights of the appellant and consequently be set aside. (6)

III. Respondents may please be directed to consider appellant for proforma promotion to the post of Senior Clinical Technologist BPS-18 from the post of Primary Health Care Technologist BPS-17 w.e.f date of notification of restructuring/enhanced ratio promotion dated 15/05/2018 or as deemed fit by this Honorable Court with all back benefits.

IV. Any other relief deemed fit in the circumstances of the case and not specifically asked for may also be graciously granted.

Through Appellant

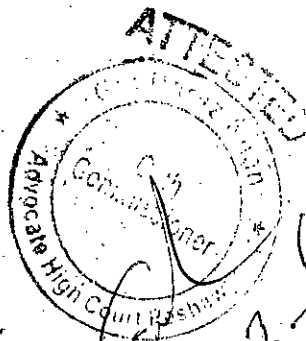
Amjad Ali (Mardan)
Advocate
Supreme Court

Dated: 13/06/2023

AFFIDAVIT

I, Bashir Ahmad S/O Taj Muhammad R/O Mohallah Khudar Khel Post Office Karnal Sher Kalle Swabi (appellant), do hereby solemnly affirm and declare that all the contents of this Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Tribunal.

Deponent



BETTER COPY of Annexure A

Page (7) 13

TO BE SUBSTITUTED BY THE SAME NUMBER AND DATE.

OFFICE ORDER.

Mr. Bashir Ahmad Medical Technician BPS-9 attached to District Health Officer, Mardan is hereby granted Selection Grade BPS-11 with effect from 01.07.1983 vide Finance Deptt: Notification No. FB (SR-I) 67/83 dated 24.08.1983 against a vacant post of Selection Grade.

Sd/- ~~xxxx~~

Director Health Services,
NWF Province, Peshawar.


(Dr. Sardar Ali)

No. 8429-30/E-III, Dated Peshawar the 26.09.1990.

Copy forwarded to the:-

1. Divisional Director Health Services, Peshawar with therequest that this office substitution letter No. 7578-96/E-III dated 07.04.85 may plase be treated as cancelled.
2. District Health Officer, Mardan, for information and necessary action.

For Director Health Services,
NWF Province, Peshawar.

su


TO BE SUBMITTED BY THE SAME NUMBER AND DATE.

OFFICE ORDER.

Handwritten initials and a large circled 'A' with '10' inside.

Mr. Bashir Ahmad Medical Technician HPS-8 attached to District Health Officer, Mardan, is hereby granted Selection Grade HPS-11 with effect from 1/7/1983 vide Finance Deptt. Notification No. FD(SR-I)4-67/83, dated 24.8.1983 against a vacant post of Selection Grade.

SD/- III
Director Health Services,
N.W.F. Province, Peshawar.
(Dr. Sardar Ali).

No: 18429-30/E.III, Dated Peshawar the 26/9/1990.

Copy forwarded to the:-

1. Divisional Director Health Services, Peshawar with the request that this Office substitution letter No. 7578-96/E.II dated 7.4.85 may be please be treated as cancelled.
2. District Health Officer, Mardan, for information and necessary action.

For Director Health Services,
N.W.F. Province, Peshawar.

15
26/9

Signature of Advocate
ADVOCATE
SUPREME COURT

Faint, mostly illegible text at the bottom of the page, possibly bleed-through or a second set of instructions.

BETTER COPY of Annexure B

Page 8

OFFICE OF THE DISTRICT HEALTH OFFICER DIR AT TIMERGARA

OFFICE ORDER

On the arrival of Mr. Bashir Ahmad as promoted u Senior Medical Technician vide GIS PP Peshawar No. 33619-9/E-III dated 12/10/1999. He is hereby posted in Basic Health Unit Beshgram against the vacant Post of Senior medical Technician.

Note:- Arrival report should be submitted to this office.

Sd/—
District Health Officer,
Dir at Timergara.

No. 2035-37/
Copy to the:

Dated Timergara the 01.11.1999

1. The Director General Health service NWFF Peshawar, for information w/r to his letter No. referred to above.
2. The Medical officer 1/C BHU Beshgrame.
3. The A/C of this office,

For information & necessary action:

District Health officer,
Dir at Timergara.

me
QA

OFFICE OF THE DISTRICT HEALTH OFFICER DIR AT TIMERGARA.

OFFICE ORDER.

On the arrival of Mr. Bashir Ahmad as promoted as Senior Medical Technician vide DGHS NWFP Peshawar No. 33619-29/E-III dated 12/10/1999. He is hereby posted in Basic Health Unit Beshgram against the vacant post of Senior Medical Technician.

Note:- Arrival report should be submitted to this office.

Sd/-

District Health Officer,
Dir at Timergara.

No. 2035-37/

Dated Timergara the 1/11/1999.

Copy to the:-

1. The Director General Health Service NWFP Peshawar, for information w/r to his letter No. referred to above.
2. The Medical Officer I/C BHU Beshgram.
3. The A/C of this office.

For information & necessary action.

District Health Officer,
Dir at Timergara.

REPAID

Adv. Amjad Ali
ADVOCATE
SUPREME COURT

DIRECTOR GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA, PESHAWAR
All communications should be added to the Director General Health Services
Peshawar and net to any official by name
Office Ph# 091-9210269 Exchange #091 9210187, 9210196 Fax # 091-9210230

OFFICE ORDER

Consequent upon approval accorded by the Departmental Promotion Committee, the following PHC Technician Multipurpose BPS-12 are hereby promoted as Senior PHC Technician Multipurpose BPS-14 with effect from the date their erstwhile juniors were promoted i.e. 28.04.2010.

S No.	Name/ F/ Name Official	Place of Posting
1.	Pervez Khan S/o Wazir Gul	EOD H Mardan
2.	Saeed Ahmad S/o Q M Ahmad	EOD H Abbottabad
3.	Iqbal Ahmed S/o Rajab Khan	EOD H Abbottabad
4.	Shamsur Rehman S/o Jan Nisar	EOD H Manshera
5.	Habibur Rehman S/o Mohammad Zaman	EOD H Manshera
6.	Abdur Rashid S/o Abdul Hameed	EOD H Haripur
7.	Mir sahib Shah S/o Sadat Shah	EOD H Bannu
8.	Bashir Amad S/o Taj Mohammad	EOD H Swabi

They will be on probation for a period of one year extendable for another period of one year. On their promotion as Senior PHC Technician Multipurpose BPS-14 the following posting/transfer are hereby ordered with immediate effect.

S No.	Name F/ Name Official	From	TO	Remarks
1.	Pervez Khan S/o Wazir Gul	EOD H Mardan	EDO H Mardan	Against the vacant post
2.	Saeed Ahmad S/o Q M Ahmad	EOD H Abbottabad	EDO H Manshera	-do-
3.	Iqbal Ahmed S/o Rajab Khan	EOD H Abbottabad	EOD H Abbottabad	-do-

ms
QA



DGHS

DIRECTOR GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA, PESHAWAR.

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.

Office Ph # 091-9210269 Exchange # 091 5210187, 9210196 Fax # 091-9210230

OFFICE ORDER

Consequent upon approval accorded by the Departmental Promotion Committee, the following PHC Technician Multipurpose BPS-12 are hereby promoted as Senior PHC Technician Multipurpose BPS-14 with effect from the date their erstwhile juniors were promoted i.e. 28.04.2010.

S.NO.	NAME/F/NAME OFFICIAL	PLACE OF POSTING
1.	Pervez Khan S/O Wazir Gul	EOD H Mardan
2.	Saeed Ahmad S/O Q M Ahmad	EDO H Abbottabad
3.	Iqbal Ahmad S/O Rajab Khan	EDO H Abbottabad
4.	Shamsur Rehman S/O Jan Nisar	EDO H Mansehra
5.	Habibur Rehman S/O Mohammad Zaman	EDO H Mansehra
6.	Abdur Rashid S/O Abdul Hameed	EDO H Haripur
7.	Mir Sahib Shah S/o Sadat Shah	EOD H Bannu
8.	Bashir Ahmad S/O Taj Mohammad	EDO H Swabi

They will be on probation for a period of one year extendable for another period of one year. On their promotion as Senior PHC Technician Multipurpose BPS-14 the following posting / transfer are hereby ordered with immediate effect.

S.NO	NAME /F/ NAME OFFICIAL	FROM	TO	REMARKS
1.	Pervez Khan S/O Wazir Gul	EOD H Mardan	EDO H Mardan	Against the vacant post
2.	Saeed Ahmad S/O Q M Ahmad	EDO H Abbottabad	EDO H Mansehra	-do-
3.	Iqbal Ahmad S/O	EDO H Abbottabad	EDO H Abbottabad	-do-

Muhammad Ali
ADVOCATE
SUPREME COURT

BETTER COPY of page 16

4.	Shamsur Rehman S/o Jan Nisar	EOD H Manshera	EDO H Manshera	do
5.	Habibur Rehman S/o Mohammad Zaman	EOD H Manshera	EDO H Mansehra	do
6.	Abdur Rashid S/o Abdul Hameed	EOD H Haripur	EDO H Haripur	do
7.	Mir sahib Shah S/o Sadat Shah	EOD H Bannu	EDO H Bannu	do
8.	Bashir Amad S/o Taj Mohammad	EOD H Swabi	EDO H Swabi	do

**DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR**

No 14672-88 /AE-II

Dated 31.08.2010

Copy forwarded to the:

1. Executive District Officer (H) Mardan, Abbottabad, Mansehra, Haripur, Bannu, Swabi.
7. District Accounts Officers Mardan, Abbottabad, Mansehra, Haripur, Bannu,
12. PA to DGHS, NWFP Peshawar. Swabi,
13. Assistant Director (P-II) DGHS NWFP Peshawar.
14. Personal files.
15. Syed Faiz Ali Shah le ACR/Paramedics Promotion Cell DGHS office NWFP Peshawar.
16. Sirajud Din Barki President PMA, K.P.K LRH Peshawar.

For information & necessary action.

(Dr. Fazal Mahmood)
**DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR**



10²

	Rajab Khan			
4.	Shamsur Rehman S/O Jan Nisar	EDO H Mansehra	EDO H Mansehra	--do--
5.	Habibur Rehman S/O Mohammad Zaman	EDO H Mansehra	EDO H Mansehra	--do--
6.	Abdur Rashid S/O Abdul Hameed	EDO H Haripur	EDO H Haripur	--do--
7.	Mir Sahib Shah S/o Sadat Shah	EDO H Bannu	EDO H Bannu	--do--
8.	Bashir Amad S/O Taj Mohammad	EDO H Swabi	EDO H Swabi	--do--

SD xxxxxxxxxx
DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR

No 14672-88 /AE-II

Dated 31 /05/2010

Copy forwarded to the:

1. Executive District Officer (H) Mardan, Abbottabad, Mansehra, Haripur, Bannu, Swabi.
7. District Accounts Officers Mardan, Abbottabad, Mansehra, Haripur, Bannu, Swabi.
12. PA to DGHS, NWFP Peshawar.
13. Assistant Director (P-II) DGHS NWFP Peshawar.
14. Personal files.
15. Syed Faiz Ali Shah I/c ACR/Paramedics Promotion Cell DGHS office NWFP Peshawar.
16. Sirajud Din Burki President PMA, K.P.K LRH Peshawar.

For information & necessary action.

(Dr. Fazal Mahmood)

DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR

*for
29.7.10*

Amjad Ali
ADVOCATE
SUPREME COURT

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated the Peshawar 29th August, 2012

NOTIFICATION.

No. SOH-111/8-60/2005(Paramedics). Consequence upon their up gradation from Chief Primary Health Care Technician (Multi-Purpose) BS-16 and Senior Primary Health Care Technician (M.P) BS-14 to the post of Primary Health Care Technologist (M.P) BS-17 vide this department Notification of even number postings/transfers to be operative from 11.03.2012 from the date of up gradation dated 11.03.2012, the Competent Authority is pleased to order the following in the interest of public service.

S No	Name/ Father's Name	From	To	Remarks
1.	Niaz Muhammad	District Peshawar	PMI Saidu Sharif	AVP
2.	Khadim Ahma d	District Dir Lower	District Dir Lower	-do-
3.	Khalid Mehmood	District Manshera	District Manshera	-do-
4.	Muhammad Shamim	District Battagram	District Battagram	-do-
5.	Akhtar Zaman	District Manshera	District Manshera	-do-
6.	Ghulam Habib	Agency Surg Bajaur	District Dir Lower	-do-
7.	Tajammul Husain	District Manshera	District Shangla	-do-
8.	Said Rehman	District Mardan	District Mardan	-do-
9.	Abdul Karim	District Abbotabbad	District Abbotabbad	-do-
10.	Barakatullah S/o Muhammad Jan	District Abbotabbad	District Abbotabbad	-do-
11.	Matiur Rehman	District Charsadda	District Swat	-do-
12.	Muhammad Saeedullah	District Shangla	District Shangla	-do-
13.	Murad Ali S/o Abdul Said	District Buner	District Buner	-do-
14.	Khalil ur Rehman S/o Said Aman Khan	District Chitral	District Chitral	-do-
15.	Muhammad Noor S/o Muhammad Ayaz	District L/ Marwat	District L/ Marwat	-do-
16.	Fazli Subhan S/o Haji Zareef Khan	District Peshawar	District Peshawar	-do-
17.	Muhammad Iqbal S/o Abdul Latif	District Abbotabbad	District Abbotabbad	-do-
18.	Muhammad Ayub S/O Muhammad Feroz	District Battagram	District Battagram	-do-
19.	Pervez Khan S/o Wazir Gul	District Mardan	District Mardan	-do-
20.	Saeed Ahmad	District Abbotabbad	PMI Abbotabbad	-do-
21.	Khurshid Hussain S/o Muhammadd Shafi	District Abbotabbad	District Buner	-do-
22.	Iqbal Ahmad S/o Muhammad Rajab Khan	District Abbotabbad	District D I Khan	-do-
23.	Shahid Ahmad S/o Aftab Ahmed	District Abbotabbad	Pmi Saidu Sharif Swat	-do-



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar 29th August, 2012

NOTIFICATION

No. SOH-III/8-60/2005(Paramedics). Consequence upon their up gradation from Chief Primary Health Care Technician (Multi-Purpose) BS-16 and Senior Primary Health Care Technician (M.P) BS-14 to the post of Primary Health Care Technologist (M.P) BS-17 vide this department Notification of even number dated 11.05.2012, the Competent Authority is pleased to order the following postings/transfers to be operative from 11.05.2012 from the date of up gradation in the interest of public service.

S. No.	Name/ Father's Name	From	To	Remarks
1.	Niaz Muhammad	District Peshawar	PMI Saidu Sharif Swat	AVP
2.	Khadim Ahmad	District Dir Lower	District Dir Lower	-do-
3.	Khalid Mehmood	District Manshra	District Manshra	-do-
4.	Muhammad Shamim	District Battagram	District Battagram	-do-
5.	Akhtar Zaman	District Manshra	District Manshra	-do-
6.	Ghulam Habib	Agency Surg. Hujur	District Dir Lower	-do-
7.	Tajammul Hussain	District Manshra	District Shangla	-do-
8.	Said Rehman	District Mardan	District Mardan	-do-
9.	Abdul Karim	District Abbottabad	District Abbottabad	-do-
10.	Barakattullah S/O Muhammad Jun	District Abbottabad	PMI Abbottabad	-do-
11.	Matiur Rehman	District Charsadda	District Swat	-do-
12.	Muhammad Saeedullah	District Shangla	District Shangla	-do-
13.	Murad Ali S/O Abdul Said	District Buner	District Buner	-do-
14.	Khalil ur Rehman S/O Said Aman Khan	District Chitral	District Chitral	-do-
15.	Muhammad Noor S/O Muhammad Ayaz	District L/Marwat	District L/Marwat	-do-
16.	Fazli Subhan S/O Haji Zareef Khan	District Peshawar	PGPI LRH Peshawar	-do-
17.	Muhammad Iqbal S/O Abdul Latif	District Abbottabad	District Abbottabad	-do-
18.	Muhammad Ayub S/O Muhammad Feraz	District Battagram	District Battagram	-do-
19.	Parvez Khan S/O Wazir Gul	District Mardan	District Mardan	-do-
20.	Saeed Ahmad	District Abbottabad	PMI Abbottabad	-do-
21.	Kharshad Hussain S/O Muhammad Shaif	District Abbottabad	District Buner	-do-
22.	Iqbal Ahmad S/O Muhammad Rajab Khan	District Abbottabad	District D.I.Khan	-do-
23.	Shahid Ahmad S/O Aftab Ahmad	District Abbottabad	PMI Saidu Sharif Swat	-do-

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ADVOCATE
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24.	Sajjad Husain S/o Mubarak Husain	District Peshawar	District Chitral	do
25.	Mrs Naheed Aziz D/o Azizur Rehman	District Haripur	District Haripur	do
26.	Muhammad Ihsan S/o Ashiq Hussain	District Peshawar	PGPI LRH Peshawar	do
27.	Riaz Ahmad S/o Rahimullah	District Peshawar	District Peshawar	do
28.	Gul Zaman S/o Haji Zarif Khan	District LRH Peshawar	District LRH Peshawar	do
29.	Muhammad Kalim S/o Sher Gul	District Haripur	District Tank	do
30.	Zahir Shah	District Charsadda	District Charsadda	do
31.	Anisur Rehman S/o Rizwanullah	District Charsadda	District Malaknd	do
32.	Liaqat Ali S/o Khewa Gul	District Nowshera	District Nowshera	do
33.	Shamsur Rehman S/o Jan Nisar	District Manshera	District Kohistan	do
34.	Muhammad Nasim S/o Abdul Razaq	District Haripur	District Haripur	do
35.	Shuaibur Rehman S/o Abdur Rehman	District Abbottabad	District Swat	do
36.	Taj Elahi S/o Karam Elahi	District Haripur	District Swat	do
37.	Habib ur Rehman S/o Muhammad Zamar	District Manshera	District Manshera	do
38.	Abdur Rashid S/o Abdul Hamid	District Haripur	District Haripur	do
39.	Akram Sher S/o Mir Abaz	District Peshawar	District Peshawar	do
40.	Fazli Rabbi S/o Hazrat Hussain	District Swat	PMI saidu Sharif Swat	do
41.	Fazli Nawaz S/o Mula Jan	District Kohat	District Kohat	do
42.	Rehman ud Din S/o sarfraz Khan	District Nowshera	District Kohistan	do
43.	Israrul Haq S/o Fazli Haq	District Bannu	District Bannu	do
44.	Nawaz Khan	District D I Khan	District D I Khan	do
45.	Rehmanullah	District D I Khan	District D I Khan	do
46.	Bahir Ahmad S/o Taj Muhammad	District Swabi	District Swabi	do
47.	Ghulam Gillani S/o M Zaman	District Bannu	District Bannu	do
48.	Rifat Sultana D/o Mian Hasan	District Nowshera	District Nowshera	do
49.	Shahi Saleem S/o Raza Khan	District Charsadda	District Charsadda	do
50.	Sher Ali Jan S/o Hussain Ali	District Hangu	District Hangu	do
51.	Muslim Shah S/o Haleem Khan	District mardan	District mardan	do
52.	S. Faiz Ali Shah S/o S. Imdad Ali Shah	District Peshawar	PGPI LRH Peshawar	do
53.	Abdul Qayum S/o Raza Khan	District FATA	District Peshawar	do
54.	Javed Khan S/o painda Khan	District Khyber	District Swabi	do
55.	Abdul Majeed S/o Abdul Halim	AS Mohmand Agency	District Swabi	do
56.	M Tariq S/o Mubarak Hussain	District Peshawar	PMFT D I Khan	do
57.	Wali Sardar S/o Sakhi Sardar	NWA Miranshah	District D I Khan	do
58.	Johar Muhammad S/o Faiz Muhammad	District Charsadda	District D I Khan	do
59.	Sajjad Ali S/o Habibullah	District Charsadda	District Swat	do

Secretary to Govt of Khyber Pakhtunkhwa
Health Department

12

18

24	Sajjad Hussain S/O Mubarak Hussain	District Peshawar	District Chitral	-do-
25	Mrs. Nabeed Aziz D/O Azizur Rehman	District Haripur	District Haripur	-do-
26	Muhammad Ihsan S/O Ashiq Hussain	District Peshawar	PGPI, LRH Peshawar	-do-
27	Riaz Ahmad S/O Rahmullah	District Peshawar	District Peshawar	-do-
28	Gul Zaman S/O Haji Zarif Khan	Govt. LRH Peshawar	PGPI, LRH Peshawar	-do-
29	Muhammad Kabir S/O Sher Gul	District Haripur	District Tank	-do-
30	Zahir Shah	District Charsadda	District Charsadda	-do-
31	Anisur Rehman S/O Rizwanullah	District Charsadda	District Malakand	-do-
32	Liaqat Ali S/O Khwaja Gul	District Nowshera	District Nowshera	-do-
33	Shamsur Rehman S/O Jan Nisar	District Manshra	District Kohistan	-do-
34	Muhammad Nasim S/O Abdul Razaq	District Haripur	District Haripur	-do-
35	Shuaibur Rehman S/O Abdur Rehman	District Abbottabad	PMT Swat	-do-
36	Taj Elahi S/O Kuram Elahi	District Haripur	PMT Swat	-do-
37	Habibur Rehman S/O Muhammad Zaman	District Manshra	District Manshra	-do-
38	Abdur Rashid S/O Abdul Hamid	District Haripur	District Haripur	-do-
39	Akram Sher S/O Mir Abaz	District Peshawar	District Peshawar	-do-
40	Fazli Robbi S/O Iluzrat Hussain	District Swat	PMI Saidu Sharif Swat	-do-
41	Fazli Nawaz S/O Mula Jan	District Kohat	District Kohat	-do-
42	Rehman ud Din S/O Sarfaraz Khan	District Nowshera	District Kohistan	-do-
43	Israrul Haq S/O Fazli Haq	District Bannu	District Bannu	-do-
44	Nawaz Khan	District D.I.Khan	District D.I.Khan	-do-
45	Rahmatullah	District D.I.Khan	District D.I.Khan	-do-
46	Bashir Ahmad S/O Taj Muhammad	District Swabi	District Swabi	-do-
47	Ghulam Gillani S/O Muhammad Zaman	District Bannu	District Bannu	-do-
48	Rifat Sultana D/O Mian Hasan	District Nowshera	District Nowshera	-do-
49	Shahid Saleem S/O Raza Khan	District Charsadda	District Charsadda	-do-
50	Sher Ali Jan S/O Hussain Ali	District Hangu	District Hangu	-do-
51	Muslim Shah S/O Haleem Khan	District Mardan	District Mardan	-do-
52	S. Faiz Ali Shah s/o S. Imdad Ali Shah	District Peshawar	PGPI LRH Peshawar	-do-
53	Abdul Qayyum S/O Raza Khan	DHS FATA	District Peshawar	-do-
54	Javed Khan S/O Painda Khan	AS Khyber	District Kohat	-do-
55	Abdul Mujeeb S/O Abdul Halim	AS Mohmand Agency	District Swabi	-do-
56	Muhammad Tariq S/O Mubarak Hussein	District Peshawar	PMI D.I.Khan	-do-
57	Wali Sardar S/O Sakhi Sardar	NWA Miranshah	District D.I.Khan	-do-
58	Johar Muhammad S/O Faiz Muhammad	District Charsadda	District Malakand	-do-
59	Sajid Ali S/O Habibullah Khan	District Charsadda	District Swat	-do-

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Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Handwritten signature and stamp of the Secretary to Govt. of Khyber Pakhtunkhwa, Health Department.

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Copy forwarded to the:

1. The Director General Health Services Khyber Pakhtunkhwa Peshawar for necessary action.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Director Health Services FATA, Khyber Pakhtunkhwa
4. All the Chief Executives, of Teaching Hospitals in Khyber Pakhtunkhwa,
5. All the Principals of Medical Colleges in Khyber Pakhtunkhwa.
6. All the Medical Superintendents, of DIIQ Hospitals in Khyber Pakhtunkhwa.
7. All the District Accounts Officers/ Agency Accounts Officers in Khyber Pakhtunkhwa
8. The Deputy Director (Information Technology Department Peshawar Health
9. PS to Minster for Health Khyber Pakhtunkhwa,
10. PS to Secretary Health Department.
11. PA to Special Secretary Health Department.
12. Officers concerned.

(MULAMMAD JAMIL)
SECTION OFFICER-III



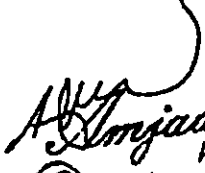
13

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7. All the District Accounts Officers/ Agency Accounts Officers in Khyber Pakhtunkhwa.
8. The Deputy Director (Information Technology) Health Department Peshawar
9. PS to Minister for Health Khyber Pakhtunkhwa.
10. PS to Secretary Health Department.
11. PA to Special Secretary Health Department.
12. Officers concerned.


(MULHAMMAD JAMIL)
SECTION OFFICER-III


A. Amjad Ali
ADVOCATE
SUPREME COURT

BETTER COPY of Annexure E

Page (14)

GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar 15th May, 2018

NOTIFICATION.

No. SOH-III/8-60/2018. The competent authority has been pleased to approve the proposal to enhance the ratio/restructuring of Paramedics staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as per following tables.

Scale wise Existing Ratio of posts of paramedical staff			Scale wise Proposed Ratio of posts of paramedical staff			Number of Posts
S No.	BPS	Percentage	S No.	BPS	Percentage	
1.	Posts in BPS-12	80%	1.	Posts in BPS-12	40%	8318
2.	Posts in BPS-14	12%	2.	Posts in BPS-14	30%	4362
3.	Posts in BPS-16	3.5%	3.	Posts in BPS-16	20%	2908
4.	Posts in BPS-17	2.5%	4.	Posts in BPS-17	8.0%	1164
5.	Posts in BPS-18	1.85%	5.	Posts in BPS-18	1.85%	284
6.	Posts in BPS-19	0.08%	6.	Posts in BPS-19	0.04%	05
7.	Posts in BPS-20	0.04%	7.	Posts in BPS-20	0.01%	1
		100%			100%	14542

The expenditure involved shall be debatable to function cum object classification 07-Health-076-Health-Administration-0781-Administration-076101 Administration current Financial Year 2017-18.

The Administrative Department will amend-service rules through SSRC accordingly

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst: No. SO(FR) FD/7-3/2018/17401/H Dated: 11-05-2018

Copy forwarded to Accountant General, Khyber Pakhtunkhwa Peshawar for information & necessary action.

Section Officer (FR)
Finance Department
Dated: 18-05-2018

No. SOH-111/8-60/2018,

Copy forwarded to

- 1 The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.
2. The Secretary to Governor, Khyber Pakhtunkhwa
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. The Secretary FATA, Governor's Secretariat Peshawar



GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar, 15th May, 2018

NOTIFICATION.

No. SOH-III/8-60/2018. The competent authority has been pleased to approve the proposal to enhance the ratio/restructuring of Paramedics staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as per following tables.

Scale-wise Existing ratio of posts of Paramedical Staff			Scale-wise Proposed ratio of posts of Paramedical Staff			Number of Posts
S. No	BPS	Percentage	S. No	BPS	Percentage	
1.	Posts in BPS-12	35%	1.	Posts in BPS-12	40%	5818
2.	Posts in BPS-14	12%	2.	Posts in BPS-14	30%	4362
3.	Posts in BPS-16	3.5%	4.	Posts in BPS-16	20%	2908
4.	Posts in BPS-17	2.5%	5.	Posts in BPS-17	8.0%	1164
5.	Posts in BPS-18	1.75%	6.	Posts in BPS-18	1.95%	284
6.	Posts in BPS-19	0.05%	7.	Posts in BPS-19	0.04%	05
7.	Posts in BPS-20	0.04%	8.	Posts in BPS-20	0.01%	01
		100%	Total:		100%	14542

The expenditure involved shall be debatable to function cum object classification 07-Health-076-Health-Administration-0761-Administration-076101-Administration current Financial Year 2017-18.

The Administrative Department will amend service rules through SSRC accordingly.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst: No. SO(FR)FD/7-3/2018/17401/H

Dated: 11-05-2018

Copy forwarded to Accountant General, Khyber Pakhtunkhwa Peshawar for information & necessary action.

Section Officer (FR)
Finance Department

No. SOH-III/8-60/2018.

Dated: 15-05-2018

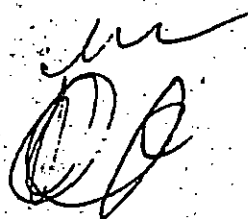
Copy forwarded to:-

1. The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.
2. The Secretary to Governor, Khyber Pakhtunkhwa.
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. The Secretary FATA, Governor's Secretariat Peshawar.

Abul
Imjad Ali
SECRETARY

6. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
7. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
8. The Director General, Health Services, Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. All Deputy Commissioners, Political Agents, District & Session Judges/District Nazims, Khyber Pakhtunkhwa.
11. The Chairman, Khyber Pakhtunkhwa, Service Tribunal, Peshawar.
12. PS to Vice Chancellor, KMU, Peshawar.
13. The Inspector General of Prisons, Khyber Pakhtunkhwa.
14. The Director General, Social Security, Khyber Pakhtunkhwa.
15. The Director General, PHSA, Khyber Pakhtunkhwa.
16. Director, Local Fund Audit, Khyber Pakhtunkhwa.
17. The Treasury Officer, Peshawar.
18. The Chief HSRRU.
19. The Chief Planning Officer Health Department.
20. Director Health Services FATA, Peshawar.
21. All Hospital Directors/Medical Pakhtunkhwa.
22. All Medical Superintendents of Directors, DHQ MTIs, Khyber All Pakhtunkhwa.
23. All District Health Officers, Khyber Pakhtunkhwa.
24. The Director of Information, Khyber Pakhtunkhwa.
25. All Agency Surgeons/MS of FATA.
26. All Principals of Medical Colleges in Khyber Pakhtunkhwa.
27. The Principal, ZAB/PGPL, Peshawar.
28. The Principals, All PIMT in Khyber Pakhtunkhwa.
29. All District Accounts Officers in Khyber Pakhtunkhwa.
30. All Agency Accounts Officers in Khyber Pakhtunkhwa.
31. The Section Officer (Budget) Health Department.
32. PS to Chief Secretary Khyber Pakhtunkhwa.
33. PS to Senior Minister for Health, Khyber Pakhtunkhwa.
34. PS to Secretary Health, Khyber Pakhtunkhwa.
35. Syed Roidar Shah, President, Provincial Paramedical Association, Khyber Pakhtunkhwa, Peshawar.
36. Luqman Gul, Secretary General, Provincial Paramedical Association, Khyber Pakhtunkhwa, Peshawar.
37. Khwaja Abdul Qayyum, Chairman, Provincial Paramedical Association, Khyber Pakhtunkhwa, Peshawar.
38. The Manager Govt. Printing Press, Khyber Pakhtunkhwa.

Section Officer-III



- 15
6. Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
7. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
8. The Director General, Health Services, Khyber Pakhtunkhwa.
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15. The Director General, PHSA, Khyber Pakhtunkhwa.
16. Director, Local Fund Audit, Khyber Pakhtunkhwa.
17. The Treasury Officer, Peshawar.
18. The Chief HSRU.
19. The Chief Planning Officer Health Department.
20. Director Health Services FATA, Peshawar.
21. All Hospital Directors/Medical Directors, MTIs, Khyber Pakhtunkhwa.
22. All Medical Superintendents of DHQ Hospitals in Khyber Pakhtunkhwa.
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37. Khwaja Abdul Qayyum, Chairman, Provincial Paramedical Association, Khyber Pakhtunkhwa, Peshawar.
38. The Manager Govt. Printing Press, Khyber Pakhtunkhwa.

Amjad Ali
ADVOCATE
SUPREME COURT

[Signature]
Section Officer-III

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WORKING PAPER FOR PROVINCIAL SELECTION BOARD

Annex E
16

- | | |
|--|--|
| Department
1. Nomenclature of the post / Basic scale

2. Service/Group/Cadre
3. Sanctioned strength of the cadre | Health.
Senior Clinical Technologist /PHC
Technologist BS-18.

Paramedics.
(284) Posts. |
|--|--|

		Direct	Promotion
i.	Percentage of share	50 %	50 %
ii.	No. of posts allocated to each category	142	142
iii.	Present occupancy position	0	09
iv.	No. of vacancies in each category	142	133

v. How did the vacancies (lies) under.

284 Posts were upgraded to Senior Clinical Technologists BS-18 during ratio enhancement/restructuring of Paramedical Staff Health Department and MTI for Availing promotion due to anomalous allocation in different scales. (Annexure-I).

vi. Recruitment Rules

(a) Fifty percent By promotion on the basis of seniority cum-fitness, from amongst the Technologist and PHC Technologist with five year service as such in the relevant Technology; and
(b) fifty percent by initial recruitment.

vii. Required length of service

Five (05) years as per service rules. (Annexure-II).

viii. Whether to be promoted on regular basis or appointed on acting charge basis?

eligible officers in the panel on Regular basis.
eligible officers on acting charge basis.

ix. Mandatory training, if any

Not Required.

x. Minimum required score on CEI

Fifty (50)

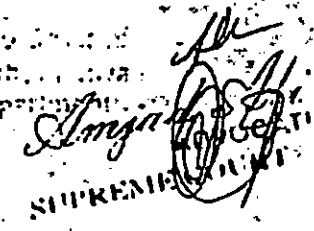
Signature: 

Designation: Secretary Health Khyber Pakhtunkhwa.

Dated: _____

SSH/AF
7/17/1a

Secretary to Provincial
Health Department
Health Department


SUPREMACY

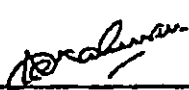
Aux (6)
(17)

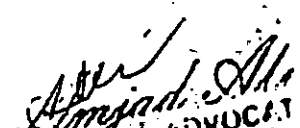

**PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD**

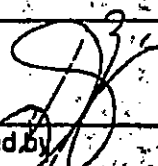
In Respect Of Mr. Bashir Ahmad S/O Tal Muhammad PHC Technologist (MP) (BS-17)

Personnel No.

Domicile: Swabi		Service/Group: Health Paramedics Cadre		Sen. No: 11			
Education Qualification (B.A./MPH)		Date of Birth: 24.04.1960		Date of Superannuation: 23.04.2023			
SERVICE PARTICULARS							
Date of joining/ Service	Date of Promotion in		Length of service				Eligibility for consideration
	Present scale	Lower rank	Total		In present scale		
			Year	Month	Year	Month	
20.02.1982 As Medical Tech: BS-09	BPS-17 11.05.2012		37	06	7	3	Eligible
Important Appointments held in the present Rank/Post							
	PHC TECHNOLOGIST MP						
Penalties (if any):							
Training course (other than mandatory training):							
Number of PERs							
Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in	
BS-17		06	01				
Awaited Report (PERs)				Additional Information (if any)			
EFFICIENCY INDEX							
Required Threshold	Score of PERs + Training Reports		Marks awarded by PSB		Total		
50	73.8						
Recommendations of PSB							
Promoted		Deferred		Superseded			

Prepared by 


ADVOCAT
SHEHNAZ

Checked by 
Section Officer-III
Health Department
Khyber Pakhtunkhwa

REGULAR PROMOTION TO BS-18
REGULAR PROMOTION TO BS-18

PSE-VI

TECHONOLOGIST (MP) (BS-17)

8

Year	Period PER		Pen Picture	Reporting Officer	Countersigning Officer	PERs Assessment	Fitness for promotion	Score
	From	To						
Present Scale (BS-17)								
2012	11/05/12	31/12/12	Not received					
2013	01/01/13	31/12/13	Regular, punctual and dutiful		Agreed	V Good	Fit	08
2014	01/01/14	31/12/14	Regular, punctual and dutiful		Agreed	V Good	Fit	08
2015	01/01/15	31/12/15	Regular, punctual and dutiful		Agreed	V Good	Fit	08
2016	01/01/16	31/12/16	Regular, punctual and dutiful		Agreed	V Good	Fit	08
2017	01/01/17	31/12/17	Regular, punctual and dutiful		Agreed	Good	Fit	07
2018	01/01/18	31/01/18	Non & great worker		Agreed	V Good	Fit	08

COMPEREHENSIVE EFFICIENCY INDEX.

PERs Quantified Score 60: 40 @ 100 %	Basic Scale	Aggregate Score	Weightage Factor	Points Obtained
		Present Scale	47/7 = 6.71	7.57 x 10
	Previous Scale	-	-	-
	(i) Additions	-	-	-
	(ii) Deletions	-	-	-
	Total (A)	-	-	67.4

Required threshold on CEI for promotion to BS-18 is 50

*. 2marks shall be added for serving in a government training institution including those meant for specialized training in any particular cadre for a period of 2 years or more.
 **. 5,3& 1 marks shall be deducted for each major, minor penalty and adverse remarks respectively.



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

DATED 09TH JULY, 2020

NOTIFICATION:

No. SOH-III/HD/ 8-117/2020 Without prejudice to the legal remedies available to Provincial Government and in pursuance of judgment of the Peshawar High Court, Peshawar dated 19-02-2020 in Writ Petition No. 5673-P/2019, Mr. Bashir Ahmad, PHC Technologist (BPS-17) attached to RHC Sheikh Jana, District Swabi shall stand retired from Government Service on 23.04.2020, on attaining the age of superannuation, as his date of birth is 24.04.1960, subject to CPLA/Appeal of the Provincial Government against aforementioned judgment of Peshawar High Court Peshawar and any order contrary as and when issued by the apex Court of Pakistan.

SD/-
SECRETARY HEALTH DEPARTMENT

Endst: of even No & date:

Cc to the:-

1. Registrar, Peshawar High Court Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. DHO, Swabi.
4. District Accounts Officer, Swabi.
5. Deputy Director (IT), Health Department Khyber Pakhtunkhwa with the request to upload it on the official website of the Department.
6. PS to Secretary Health Department, Khyber Pakhtunkhwa.
7. Officer concerneg.

6/07/2020
SECTION OFFICER (ESTAB-III)
HEALTH DEPARTMENT

Adv. Sajjad Ali
ADVOCATE
SUPREME COURT

A
20

Panel of Officers for Considerations.

S.NO	Name of officer with qualification	Date of Birth	Date of 1st Entry into Govt Service	Date of Appointment/ Promotion to BS-17	Date of regular appointment / promotion to the present scale	Whether fulfilled the prescribed length of service	Quantified score	Missing PERs if any	Disciplinary proceedings (if any)	Case (if any) in any court of law including NAB/Plea bargaining with NAB	Mandatory training for promotion	Research Paper	Remarks
1.	Awal Badshah S/O Sharbat Khan (MSc Micro Biology)	15.03.1960	21.07.1988	21.07.1988 04.01.2005	21.07.1988 04.01.2005	Yes	Not Complete	2005 to 2018	yes	Not received	Not required	Not required	Not Eligible
2.	Niaz Muhammad S/O Muhammad Sharif (BA/Certificate)	08.04.1960	01.10.1978	01.10.1978 11.05.2012	01.10.1978 11.05.2012	Yes	70.08	No	No	No	Not required	Not required	Eligible for Regular Promotion
3.	Said Rehman S/O Gul Rahman (Metric/Certificate)	06.03.1962	06.01.1981	06.01.1981 11.05.2012	06.01.1981 11.05.2012	Yes	67.14	No	No	No	Not required	Not required	Eligible for Regular Promotion
4.	Abdul Karim S/O Abdul Latif (FA/Certificate)	15.03.1960	10.01.1981	10.01.1981 11.05.2012	10.01.1981 11.05.2012	Yes	70.08	No	No	No	Not required	Not required	Eligible for Regular Promotion
5.	Shahid Ahmad S/O Aftab Ahmad (BA/Certificate)	01.01.1964	15.02.1982	15.02.1982 11.05.2012	15.02.1982 11.05.2012	Yes	78.57	No	No	No	Not required	Not required	Eligible for Regular Promotion
6.	Muhammad Ihsan S/O Ashiq Hussain (Metric/Diploma)	27.02.1961	16.02.1982	16.02.1982 11.05.2012	16.02.1982 11.05.2012	Yes	75.14	No	No	No	Not required	Not required	Eligible for Regular Promotion
7.	Riaz Ahmad S/O Rahimullah (BA/Certificate)	15.09.1961	16.02.1982	16.02.1982 11.05.2012	16.02.1982 11.05.2012	Yes	66.05	No	No	No	Not required	Not required	Eligible for Regular Promotion

2

Panel of Officers for Considerations.

S.NO	Name of officer with qualification	Date of Birth	Date of 1st Entry into Govt Service	Date of Appointment/Promotion to BS-17	Date of regular appointment / promotion to the present scale	Whether fulfilled the prescribed length of service	Quantified score	Missing PERs if any	Disciplinary proceedings (if any)	Case (if any) in any court of law including NAB/PI or bargaining with NAB	Mandatory training for promotion	Research Paper	Remarks
8.	Zahir Shah (Metric/Certificate)	28.04.1960	17.02.1982	17.02.1982 11.05.2012	17.02.1982 11.05.2012	Yes	72.08	No	No	No	Not required	Not required	Eligible for Regular Promotion
9.	Aneesur Rehman S/O Rizwanullah (MA/Diploma)	22.04.1961	17.02.1982	17.02.1982 11.05.2012	17.02.1982 11.05.2012	Yes	75.22	No	No	No	Not required	Not required	Eligible for Regular Promotion
10.	Abdur Rashid S/O Abdul Hamid (Metric/Certificate)	16.03.1962	18.02.1982	18.02.1982 11.05.2012	18.02.1982 11.05.2012	Yes	67.14	No	No	No	Not required	Not required	Eligible for Regular Promotion
11.	Bashir Ahmad S/O Taj Muhammad (B.A/MPH)	24.04.1960	20.02.1982	20.02.1982 11.05.2012	20.02.1982 11.05.2012	Yes	73.8	No	No	No	Not required	Not required	Eligible for Regular Promotion
12.	Ghulam Gillani S/O Muhammad Zaman (Metric/Certificate)	01.08.1960	20.02.1982	20.02.1982 11.05.2012	20.02.1982 11.05.2012	Yes	75.14	No	No	No	Not required	Not required	Eligible for Regular Promotion
13.	Shahid Saleem S/O Raza Khan BSc (H)	20.03.1960	22.02.1982	22.02.1982 11.05.2012	22.02.1982 11.05.2012	Yes	75.14	No	No	No	Not required	Not required	Eligible for Regular Promotion
14.	Javed Khan S/O Painsa Khan (FA)	15.04.1961	25.05.1992	25.05.1992 11.05.2012	25.05.1992 11.05.2012	Yes	65.71	No	No	No	Not required	Not required	Eligible for Regular Promotion

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Panel of Officers for Considerations.

15

S.NO	Name of officer with qualification	Date of Birth	Date of 1st Entry into Govt Service	Date of Appointment / Promotion to BS-17	Date of regular appointment / promotion to the present scale	Whether fulfilled the prescribed length of service	Quantified score	Missing PERs if any	Disciplinary proceedings (if any)	Case (if any) in any court of law including NAB/Plea bargaining with NAB	Mandatory training for promotion	Research Paper	Remarks
104.	Iqbal Muhammad S/O Muntaz Hussain BSc (MLT)/MSc Micro	15-04-1980	26-02-2018	26-02-2018	26-02-2018	No	Not Complete	2018	Not received	Not received	Not required	Not required	Not Eligible
105.	Muhammad Tariq S/O Fateh Mui Khan BSc (H) MLT	12-01-1989	26-02-2018	26-02-2018	26-02-2018	No	Not Complete	2018	Not received	Not received	Not required	Not required	Not Eligible

1. Certified that the given information of officers included in the panel is correct as per report of the DGHS Khyber Pakhtunkhwa.

Signature

Designation: Secretary to Govt. Khyber Pakhtunkhwa Health Department Peshawar.

Date:

Secretary to Govt.
Khyber Pakhtunkhwa
Health Department

BS-17		Not Received	Not Received	Average	below Average	Adverse Report/Remarks
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**FINAL JOINT SENIORITY LIST OF TECHNOLOGISTS BPS-17 IN VARIOUS CADRES
HEALTH DEPARTMENT KP. As on 15.04.2019**

(Handwritten signature and initials)

(Handwritten notes: 11, 23, Aux, etc.)

S.No	Name & Father Name	Qualification /Academic Qualification	Date of birth & Domicile.	Date of 1st Entry into Govt. Service as Paramedic	Regular Appointment/Promotion to Present Post.			Present Posting
					Date	BPS	Method of Recruitment	
1.	Awal Badshah S/O Sharbat Khan	MSc Micro Biology	15.03.1960 Karak	21.07.1988 04.01.2005	a. Lab Tech: b. Clinical Technologist (Pathology)	BS-09 BS-17	By Initial By promotion	KMC/MTI Peshawar
2.	Niaz Muhammad S/O Muhammad Sharif	B.A /Certificate	08.04.1960 Peshawar	01.10.1978 26.12.1990 28.04.2010 11.05.2012	a. Lep. Tech: b. DLS c. Chief PHC Tech: d. PHC Technologist (MP)	BS-07 BS-14 BS-16 BS-17	By Initial By promotion By promotion By promotion	DHO Peshawar. 03005835377
3.	Said Rehman S/O Gul Rahman	Matric/Certificate	06.03.1962 Mardan	06.01.1981 06.01.1997 28.04.2010 11.05.2012	a. Lep. Tech: b. DLS c. Chief PHC Tech: d. PHC Technologist (MP)	BS-07 BS-14 BS-16 BS-17	By Initial By promotion By promotion By promotion	DHO Mardan
4.	Abdul Karim S/O Abdul Latif	F.A/ Certificate	15.05.1960. Haripur	10.01.1981 22.03.1999 28.04.2010 11.05.2012	Lep. Tech: DLS Chief PHC Tech: PHC Technologist (MP)	BS-07 BS-14 BS-16 BS-17	By Initial By promotion By promotion By promotion	DHO Abbottabad
5.	Shahid Ahmad S/O Aftab Ahmad	B.A	01.04.1964 Abbottabad	15.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Abbottabad. 03335045265
6.	Mrs. Naheed Aziz D/O Azizur Rehman	F.A/Certificate	01.05.1959 Haripur	16.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Haripur 0333-5074536
7.	Muhammad Ihsan S/O Ashiq Hussain	Matric/Diploma	27.02.1961 Peshawar	16.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	PGPI Peshawar

(Handwritten signature)
Section Officer-III
Health Department
Khyber Pakhtunkhwa:

8.	Riaz Ahmad S/O Rahimullah	Certificate/B.A	15.09.1961 Charsadda	16.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Pesbawar.
9.	Zahir Shah	Certificate/Matric	28.04.1960 Charsadda	17.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Charsadda
10.	Arceaur Rehman S/O Rizwanullah	M.A/Diploma	22.04.1961 Charsadda	17.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Charsadda
11.	Habibur Rehman S/O Muhammad Zaman	Certificate/Matric	28.04.1959 Mansehra	18.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	PMI Abbotbad
12.	Abdur Rashid S/O Abdul Hamid	Certificate/Matric	16.03.1962 Haripur	18.02.1982 14.07.1991 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Hospital Haripur
13.	Nawaz Khan S/O Saleh Khan	B.A/MPH	01.06.1959 D.I.Khan	20.02.1982 30.09.1999 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO D.I.Khan
14.	Bashir Ahmad S/O Taj Muhammad	BA/MPH	24.04.1960 Swabi	20.02.1982 30.09.1999 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Swabi
15.	Ghulam Gillani S/O Muhammad Zaman	Certificate/matric	01.08.1960 Bannu	20.02.1982 30.09.1999 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Bannu
16.	Shahid Saleem S/O Reza Khan	BSc (Hon)	20.03.1960 Charsadda	22.02.1982 30.09.1999 28.04.2010 11.05.2012	a. Medical Tech: b. SMT c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Charsadda 0345-9416697 0301-5963361

DA
Section Officer-III
Health Department
Khyber Pakhtunkhwa.

Office of the Seniority of a civil servant
belonging to the same service or
not, as may be prescribed

17.	Abdul Majeed S/O Abdul Halim	B.A	02.05.1959 Charsadda	25.05.1992 25.08.2006 28.04.2010 11.05.2012	a. DSV b. PHC Tech: c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-11 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Swabi
18.	Javed Khan S/O Painda Khan	F.A	15.04.1961 Charsadda	25.05.1992 25.08.2006 28.04.2010 11.05.2012	a. Assitt: Evaluator b. PHC Tech: c. Sr. PHC Tech: d. PHC Technologist (MP)	BS-11 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHS FATA
19.	Muhammad Tariq S/O S. Mubarak - Hussain	M.A	18.05.1963 Mardan	26.10.1983 04.05.1986 25.05.1992 25.08.2006 28.04.2010 11.05.2012	a. FSV b. TSV c. DSV d. PHC Tech: e. Sr. PHC Tech: f. PHC Technologist (MP)	BS-07 BS-09 BS-11 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion By promotion By promotion	DHO Peshawar
20.	Johar Muhammad S/O Faiz Muhammad	B.A	25.04.1962 Charsadda	01.11.1983 04.05.1986 25.05.1992 25.08.2006 28.04.2010 11.05.2012	a. FSV b. TSV c. DSV d. PHC Tech: e. Sr. PHC Tech: f. PHC Technologist (MP)	BS-07 BS-09 BS-11 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion By promotion By promotion	DHO Mardan
21.	Sajid Ali S/O Habibullah Khan	F.A	10.04.1963 Charsadda	01.11.1983 04.05.1986 25.05.1992 25.08.2006 28.04.2010 11.05.2012	a. FSV b. TSV c. DSV d. PHC Tech: e. Sr. PHC Tech: f. PHC Technologist (MP)	BS-07 BS-09 BS-11 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion By promotion By promotion	DHO Charsadda
22.	Wali Sardar S/O Sakhi Sardar	Matric/Certificate	03.07.1959 Miranshah	01.01.1985 04.05.1986 25.05.1992 25.08.2006 28.04.2010 11.05.2012	a. FSV b. TSV c. DSV d. PHC Tech: e. Sr. PHC Tech: f. PHC Technologist (MP)	BS-07 BS-09 BS-11 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion By promotion By promotion	SWA Miranshah
23.	Salim Shah S/O Wahab Shah	BSc (Hon)	01/01/1960 Peshawar	A.01/08/1978 B.21/04/1985 C.12/05/1991 D.02.08.2012	a. Anest: Assitt b. Anest: Tech; c. Chief Anesthesia Tech: d. Clinical Technologist (Anesthesia)	BS-06 BS-09 BS-16 BS-17	By Initial By promotion By promotion By promotion	KTH/MTI Peshawar

Section Officer-III
Health Department
Khyber Pakhtunkhwa.

department of civil servants belonging to the same sub-section (1) the same as the case may be to confer any service, cadre or office or promotion.

24.	Muhammad Zulfiqar S/O Noor Zama Jan	BSc.	25.12.1963 Karak	09.01.1996 02.08.2012	a. Ch: Clinical (Lab)Tech: b. Clinical Technologist(Pathology)	Bs-16 BS-17	By promotion	HMC/MTI Peshawar
25.	Abdul Latif		01.06.1959 Peshawar	17.09.1996 02.08.2012	a. Chief Clinical (Lab)Tech: b. Clinical Technologist(Pathology)	Bs-15 BS-17	By promotion	KTH/MTI Peshawar
26.	Qayyum Jan S/O Taj Muhammad	Matric /Certificate	01/10/1960 Peshawar	19/04/1980 14/02/1983 12/08/1998 02.08.2012	a. O.T Assitt b. O.T. Tech; c. Chief OTT d. Clinical Technologist (Surgical)	BS-05 BS-09 BS-16 BS-17	By initial By promotion By promotion By promotion	KTH/MTI Peshawar
27.	Isam Gul S/O Gul Mir	Matric /Certificate	10/06/1960 Peshawar	02/10/1980 14/02/1983 12/08/1998 02.08.2012	a. O.T Assitt b. O.T. Tech; c. Chief OTT d. Clinical Technologist (Surgical)	BS-05 BS-09 BS-16 BS-17	By initial By promotion By promotion By promotion	LRH/MTI Peshawar
28.	Ashfaq Ullah S/O Safid Ullah Khan	F.A	01-08-1965 Nowshera	03-03-1991 06.03.2010 02.08.2012	a. Modler b. Sr. C. Tech: c. Clinical Technologist(Pharmacy)	Bs-11 Bs-14 BS-17	By initial By promotion By promotion	DHQH Nowshera
29.	Tajmir Shah S/O Fazli Hakeem	B.A/LLB	19.03.1963 Charsadda	01.07.1992 06.03.2010 02.08.2012	a. ECT Tech: b. Sr. C. Tech: c. Clinical Technologist(Pharmacy)	Bs-11 BS-14 BS-17	By initial By promotion By promotion	LRH/MTI Peshawar
30.	Mian Zia ul Haq S/O Mian Hamdul Haq	FSc /Diploma	25.12.1965 Peshawar	06.07.1992 15.02.2010 02.08.2012	a. Laser Tech. b. Sr. Clinical (Oph) Tech: c. Clinical Technologist (ophthalmology)	Bs-11 BS-14 BS-17	By initial By promotion By promotion	LRH/MTI Peshawar
31.	Sheraz Khan S/O Taj Muhammad	FSc /Diploma	15.03.1973 Charsadda	15-02-2010 06.03.1999 02.08.2012	a. Laser Technician b. Sr. Clinical (Oph)Tech: c. Clinical Technologist Ophthalmology	Bs-11 BS-14 BS-17	By initial By promotion By promotion	HMC/MTI Peshawar
32.	Muhammad Jamshed S/O Ghulam Qasim	B.A /Diploma	20.05.1976 D.I.Khan	26.06.1999 25.08.2006 02.08.2012	a.Modler b. CT Pharmacy c. Clinical Technologist Pharmacy	Bs-11 BS-12 BS-17	By initial By promotion By promotion	DHQH/MTI D.I.Khan
33.	Nusrat Gul S/O Abad Gul	BSc (H)/ Certificate	15.03.1969	11.11.1990 29.03.1995 02.03.2010 02.08.2012	a. ECG Tech; b. EEG (Pharmacy) Tech; C. Tech c. Clinical Technologist (Pharmacy)	Bs-09 BS-12 BS-17	By initial By promotion By promotion	LRH/MTI Peshawar 0301-8881433
34.	Khalid Khan S/O Waheedullah	B.A/Diploma	01.01.1976	26.08.1995 02.03.2010 02.08.2012	a. EEG Tech: b. C. Tech c. Clinical Technologist Pharmacy	Bs-09 BS-12 BS-17	By initial By promotion By promotion	HMC/MTI Peshawar 0342-9118244
35.	Sartaj Bahadar S/O Khan Bahadar	BSc/MA/Diploma	05/11/1962 Peshawar	15/02/1984 05.03.2010 02.08.2012	a. Pulmonary Function Test Tech: b. Clinical Tech: c. Clinical Technologist(Pulmonology)	Bs-09 BS-12 BS-17	By initial By promotion By promotion	LRH/MTI Peshawar 0321-9071399

Section Officer-III
Health Department
Khyber Pakhtunkhwa

Whether serving the same department or other civil service as the case may be.

36.	Gul Rehman S/O Haji Abdul Hamid	BSc (H)	03/05/1961 Charasadda	28/05/1988 20/07/1992 05.03.2010 02.08.2012	a. Dispenser b. Pulmonary Function Test Tech: c. Clinical Tech: d. Clinical Technologist (Pulmonology)	BS-06 BS-09 BS-16 BS-17	By Initial By promotion By promotion By promotion	LRH/MTI Peshawar
37.	Farah Deeba D/O Muhammad Nawaz	F.A/Diploma	17/11/1959 Lakki Marwat.	17/02/1979 15/07/2004 29.04.2010 19.08.2013	a. LHV b. AHS c. Sr PHC Tech d. PHC Technologist (MCH)	BS-09 BS-12 BS-14 BS-17	By Initial By promotion By promotion By promotion	DHO Lakki Marwat.
38.	Afzal ur Rehman S/O Mira Khan	MA/Diploma	09/05/1966 Swabi	12/12/1989 20.04.2010 19.08.2013	a. X-Ray Tech b. Clinic Tech c. Clinical Technologist (Radiology)	BS-09 BS-12 BS-17	By Initial By promotion By promotion	DHQ Hosp: Swabi
39.	Gul Sher Khalil S/O Fazal Sher Khalil	B.A/Certificate	01.10.1971 Peshawar	03.03.1991 20.04.2010 19.08.2013	a. X-Ray Tech b. Clinic Tech c. Clinical Technologist (Radiology)	BS-09 BS-12 BS-17	By Initial By promotion By promotion	KTH/MTI Peshawar
40.	Razeem Khan S/O Fazali Rahman	BSc/Certificate	04.12.1967 Mardan	04.03.1991 20.04.2010 19.08.2013	a. X-Ray Tech b. Clinic Tech c. Clinical Technologist (Radiology)	BS-09 BS-12 BS-17	By Initial By promotion By promotion	LRH/MTI Peshawar
41.	Jamil Khan S/O Muhammad Amir Khan	Matric/Diploma	01/01/1969 NW Agency	18/03/1993 20.04.2010 19.08.2013	a. X-Ray Tech b. Clinic Tech c. Clinical Technologist (Radiology)	BS-09 BS-12 BS-17	By Initial By promotion By promotion	KTH/MTI Peshawar
42.	Muhammad Alam S/O Habibur Rehman	FSc/Certificate	28/04/1971 Swat	12/03/1999 20.04.2010 19.08.2013	a. X-Ray Tech b. Clinic Tech c. Clinical Technologist (Radiology)	BS-09 BS-12 BS-17	By Initial By promotion By promotion	STH Swat.
43.	Abdur Rahman S/O Gul Hassan Badshah	Matric/Diploma	25.09.1973 Karak.	27.12.1994 31.08.2000 20.04.2010 19.08.2013	a. R Grapher b. X-Ray Tech c. Clinic Tech d. Clinical Technologist (Radiology)	BS-06 BS-09 BS-12 BS-17	By Initial By promotion By promotion By promotion	KGN Hosp: MTI Bannu.
44.	Tasleem D/O Habibullah	Matric/Certificate	30.06.1959 Nowahera	01.03.1979 29.04.2010 19.08.2013	a. LHV b. PHC Tech: c. PHC Technologist (MCII)	BS-09 BS-12 BS-17	By Initial By promotion By promotion	DHO Peshawar
45.	Nighat Rashid D/O Abdul Ashid	Matric/Diploma	27.04.1960 Peshawar	01.03.1979 19.08.2013	a. LHV b. PHC Technologist (MCII)	BS-09 BS-17	By Initial By promotion By promotion	PHS Nishtarabad. Peshawar
46.	Syed Hasnain S/O Syed Muhammad Sibtain	BS (H) Radiology	01.04.1973 Kurram	27-12-1994 30.08.2003 19.08.2013	a. Radiographer b. X-Ray Tech: c. Clinical Technologist (Radiology)	BS-06 BS-09 BS-17	By Initial By promotion By promotion	PIMS Islamabad On Deputation.

Section Officer-III
Health Department
Khyber Pakhtunkhwa.

...section (I), the senior...
...case may be...
...confers any vested...
...cadre...
...office or not, as...

112.	Khair-ur-Rehman S/O Anwar-ul-Haq	BS (H) (Health Technology)	20.08.1966 Shangla	11.10.2012 11.08.2015 23-02-2018	JPHC Tech (MP) BS-9 PHC Tech; (MP) BS-12 PHC Technologist (MCH) BS-17	BS-9 BS-12 BS-17	By initial By promotion By promotion	DHO Swat
113.	Arceta Kumari D/O Mir Chand	BS (H)	12.10.1986 Buner	02.01.2014 11.08.2015 23-02-2018	JPHC Tech; (MCH) BS-9 PHC Tech; (MCH) BS-12 PHC Technologist (MCH) BS-17	BS-9 BS-12 BS-17	By initial By promotion By promotion	DHO Peshawar
114.	Muhammad Khalid S/O Muhammad sharif Khan	BSc MLT / MSc Hematology	08-09-1975 Tank	26-02-2018	Clinical Technologist, Pathology BS-17	BS-17	By initial Reg through Act 26-02-18	RBC Hayatbad Peshawar
115.	Iqbal Muhammad S/O Mumtaz Hussain	BSc MLT / MSc Micro / M. Phil Micro	15-04-1980 Shangla	26-02-2018	Clinical Technologist, Pathology BS-17	BS-17	By initial Reg through Act 26-02-18	RBC Hayatbad Peshawar
116.	Muhammad Tariq S/O Patch Mul Khan	BS (H) MLT	12-01-1989 Dir Lower	26-02-2018	Clinical Technologist, Pathology BS-17	BS-17	By initial Reg through Act 26-02-18	RBC Hayatbad Peshawar

Note:- It is certified that the seniority list is final and undisputed and has been prepared after circulation of tentative Seniority list & during stipulated period of tentative no objections have been received from any officer concern.

Verified

[Signature]

Section Officer-III
Health Department
Khyber Pakhtunkhwa

[Signature]
Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

[Signature]
Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

... shall take effect from ...
... post or ...
... of a service, child ...
... members for the ...
... herein contained ...
... the ...

To

The Chief Secretary KP

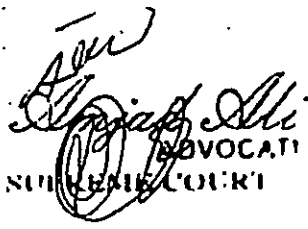
Subject: Departmental Appeal for promotion to the post of Senior Clinical Technologist (BPS-18) from Primary Health Care Technologist (BPS-17) w.e.f date of notification dated 15/05/2018

1. That appellant was appointed as Medical Practitioner (BPS-07) vide appointment order dated 21/02/1982.
2. That appellant was promoted from BPS-7 to BPS-9.
3. That appellant was thereafter granted selection grade from BPS-9 to BPS-11 vide order dated 26/09/1990
4. That appellant was promoted from BPS-9 to BPS-12 as senior Medical Technician vide order dated 01/11/1999
5. That appellant was promoted from BPS-12 to BPS-14 vide office order dated 31/05/2010
6. That appellant is upgraded from Chief Primary Health Care Technician (MP) BPS-16 and Senior Primary Health Care Technician (MP) BPS-14 to the post of Primary Health Care Technologist (MP) BPS-17 vide departmental notification of even number dated 11/05/2020, as visible from posting order dated 29/08/2012
7. That vide notification dated 15/05/2018, the competent authority approved the proposal to enhance the ratio/restructuring of paramedic staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as shown in the table therein

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8. That as per working papers for provincial Selection Board, 284 posts were upgraded to senior clinical technologist (BPS-18) during ratio enhancement/restructuring of paramedical staff health department and MTI for availing promotion due to anomalous allocation in different scale duly signed by Secretary Health.
9. That panel proforma for provincial selection Board regarding appellant is prepared wherein appellant is shown in BPS-17 with 6x very good and 1x good ACR in score PERS as 73.8 duly signed by concerned section officer III
10. That ever since 15/05/2018 and later on Selection Board, Health Department malafidely, arbitrarily, in a perverse manner, kept sleeping over the consideration of appellant for promotion to Senior Clinical Technologist (BPS-18) from BPS-17 (Clinical Technologist).
11. That this omission/inaction of Health Department continued till 09/07/2020, when appellant was retired vide notification dated 09/07/2020.
12. That panel of officers for consideration for promotion to BPS-18 include appellant as Serial No 11
13. That appellant is at serial no 14 in final joint seniority list of technologist (BPS-17) as stood on 15/04/2019
14. That finding no other remedy, the appellant files this Departmental appeal on the following grounds:


ADVOCATE
SUPREME COURT

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GROUNDS

- A. Because appellant can't be blamed/penalized for the inaction/omission of the Health Department.
- B. Because the inaction/omission of the Health Department is illegal, without lawful authority, without justification, consequently perverse, fanciful, arbitrary, coram non iudice and based on malafide.
- C. Because appellant by no stretch of imagination can be deprived of fruits of notification dated 15/05/2018 for restructuring and enhanced ratio of restructuring of paramedic staff of Health Department in higher grades.
- D. Because appellant can't be deprived of the benefits of promotion to the desired post with effect from 15/05/2018 with all back benefits.
- E. Because as per consistent judgments of High Court/Supreme Court, to be promoted to a higher post is not a vested right but consideration for promotion to the higher post is a vested right of the appellant.
- F. Because appellant fulfills all the criteria for promotion to the higher post much earlier than the notification of restructuring/availability of vacancies on 15/05/2018.
- G. Because mere a formal order of promotion over the recommendation of PSB/DPC was needed on 15/05/2018 in a reasonable time.
- H. Because reasonable time cannot be stretched for multiple years.
- I. Because it is inalienable right of the appellant to be considered for promotion.

Sanjiv Ali
ADVOCATE
SUPREME COURT

- J. Because as per Article 4 of Constitution of Pakistan 1973 it is fundamental right of the appellant as well as every citizen of Pakistan to be dealt in accordance with law, therefore appellant has a fundamental right to be considered for promotion to the higher post.
- K. Because appellant can't be kept in one grade for multiple years/decades without any prospect or potential promotion.
- L. Because the appellant is entitled for promotion to the higher post in light of the notification of restructuring and enhanced ratio of vacancies issued on 15/05/2018.
- M. Because appellant has been discriminated to the extent of non-consideration for promotion which inaction/omission is a clear discrimination as per Article 27 of the Constitution of Pakistan, 1973 as other similarly placed employees are regularly considered for promotion in the Health Department as well as other Departments of the Provincial Government.
- N. Because in the instant case, the Health Department is not disputing eligibility/ineligibility and fitness/unfitness, rather the eligibility as well as fitness is admitted by the Department.
- O. Because the requisite of available vacancy and ratio of a particular class of employees has also been clarified through its own notification dated 15/05/2018.
- P. Because the issue involved in this case is that the Health Department is not acting upon its own notification dated 15/05/2018 wherein vacancies and ratio was created/clarified for the appellants and thereafter formal convening of PSB/DPC whereas working papers were also admittedly prepared for the same.

Because non-considering appellant for promotion and not giving effect to their own notification dated 15/05/2018 is a recurring cause of action which arises to the appellant at the end of every month.

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PRAYER

It is therefore humbly prayed that on acceptance of this departmental appeal:

- I. Inaction/Omission of the competent authority to convene PSB/DPC and act upon its recommendation and give effect to notification dated 15/05/2018 of restructuring/enhanced ratio of promotion to higher grades is perverse, illegal, malafidely, without lawful authority, coram non judice and ineffective upon the rights of the appellant.

- II. I may please be considered for promotion from the post of Primary Health Care Technologist (BPS-17) to Senior Clinical Technologist (BPS-18) w.e.f date of restructuring/enhanced ratio promotion dated 15/05/2018 with all back service and monetary benefits or as deemed fit by this Honorable Court.

Bashir Ahmad

Dated. 21/07/2020

Appellant

Bashir Ahmad S/O Taj Muhammad

Primary Health Care Technologist (BPS-17)

Abdul Mujib Ali
ADVOCATE
SUPREME COURT

To

The Secretary
Health Department KP

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Subject: Departmental Appeal for promotion to the post of Senior Clinical Technologist (BPS-18) from Primary Health Care Technologist (BPS-17) w.e.f. date of notification dated 15/05/2018

1. That appellant was appointed as Medical Practitioner (BPS-07) vide appointment order dated 21/02/1982.
2. That appellant was promoted from BPS-7 to BPS-9.
3. That appellant was thereafter granted selection grade from BPS-9 to BPS-11 vide order dated 26/09/1990.
4. That appellant was promoted from BPS-9 to BPS-12 as senior Medical Technician vide order dated 01/11/1999.
5. That appellant was promoted from BPS-12 to BPS-14 vide office order dated 31/05/2010.
6. That appellant is upgraded from Chief Primary Health Care Technician (MP) BPS-16 and Senior Primary Health Care Technician (MP) BPS-14 to the post of Primary Health Care Technologist (MP) BPS-17 vide departmental notification of even number dated 11/05/2020, as visible from posting order dated 29/08/2012.
7. That vide notification dated 15/05/2018, the competent authority approved the proposal to enhance the ratio/restructuring of paramedic staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as shown in the table therein.

Supreme Court
Handwritten signature and stamp

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8. That as per working papers for provincial Selection Board, 284 posts were upgraded to senior clinical technologist (BPS-18) during ratio enhancement/restructuring of paramedical staff health department and MTI for availing promotion due to anomalous allocation in different scale duly signed by Secretary Health.
9. That panel proforma for provincial selection Board regarding appellant is prepared wherein appellant is shown in BPS-17 with 6x very good and 1x good ACR in score PERS as 73.8 duly signed by concerned section officer III
10. That ever since 15/05/2018 and later on Selection Board, Health Department malafidely, arbitrarily, in a perverse manner, kept sleeping over the consideration of appellant for promotion to Senior Clinical Technologist (BPS-18) from BPS-17 (Clinical Technologist).
11. That this omission/inaction of Health Department continued till 09/07/2020, when appellant was retired vide notification dated 09/07/2020.
12. That panel of officers for consideration for promotion to BPS-18 include appellant as Serial No 11
13. That appellant is at serial no 14 in final joint seniority list of technologist (BPS-17) as stood on 15/04/2019
14. That finding no other remedy, the appellant files this Departmental appeal on the following grounds:

Abuzad Ali
ADVOCATE
SUPREME COURT

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GROUND

- A. Because appellant can't be blamed/penalized for the inaction/omission of the Health Department.
- B. Because the inaction/omission of the Health Department is illegal, without lawful authority, without justification consequently perverse, fanciful, arbitrary, coram non iudice and based on mala fide.
- C. Because appellant by no stretch of imagination can be deprived of fruits of notification dated 15/05/2018 for restructuring and enhanced ratio of restructuring of paramedic staff of Health Department in higher grades.
- D. Because appellant can't be deprived of the benefits of promotion to the desired post with effect from 15/05/2018 with all back benefits.
- E. Because as per consistent judgments of High Court/Supreme Court, to be promoted to a higher post is not a vested right but consideration for promotion to the higher post is a vested right of the appellant.
- F. Because appellant fulfills all the criteria for promotion to the higher post much earlier than the notification of restructuring/availability of vacancies on 15/05/2018.
- G. Because mere a formal order of promotion over the recommendation of PSB/DPC was needed on 15/05/2018 in a reasonable time.
- H. Because reasonable time cannot be stretched for multiple years.
- I. Because it is inalienable right of the appellant to be considered for promotion.

Amjad Ali
ADVOCATE
SUPREME COURT

- J. Because as per Article 4 of Constitution of Pakistan 1973 it is fundamental right of the appellant as well as every citizen of Pakistan to be dealt in accordance with law, therefore appellant has a fundamental right to be considered for promotion to the higher post.
- K. Because appellant can't be kept in one grade for multiple years/decades without any prospect or potential promotion.
- L. Because the appellant is entitled for promotion to the higher post in light of the notification of restructuring and enhanced ratio of vacancies issued on 15/05/2018.
- M. Because appellant has been discriminated to the extent of non-consideration for promotion which inaction/omission is a clear discrimination as per Article 27 of the Constitution of Pakistan 1973 as other similarly placed employees are regularly considered for promotion in the Health Department as well as other Departments of the Provincial Government.
- N. Because in the instant case, the Health Department is not disputing eligibility/ineligibility and fitness/unfitness, rather the eligibility as well as fitness is admitted by the Department.
- O. Because the requisite of available vacancy and ratio of a particular class of employees has also been clarified through its own notification dated 15/05/2018.
- P. Because the issue involved in this case is that the Health Department is not acting upon its own notification dated 15/05/2018 wherein vacancies and ratio was created/clarified for the appellants and thereafter formal convening of PSB/DPC whereas working papers were also admittedly prepared for the same.
- Q. Because non-considering appellant for promotion and not giving effect to their own notification dated 15/05/2018 is a recurring cause of action which arises to the appellant at the end of every month.

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PRAYER

It is therefore humbly prayed that on acceptance of this departmental appeal:

- I. Inaction/Omission of the competent authority to convene PSB/DPC and act upon its recommendation and give effect to notification dated 15/05/2018 of restructuring/enhanced ratio of promotion to higher grades is perverse, illegal, malafidely, without lawful authority, coram non iudice and ineffective upon the rights of the appellant.

- II. I may please be considered for promotion from the post of Primary Health Care Technologist (BPS-17) to Senior Clinical Technologist (BPS-18) w.e.f. date of restructuring/enhanced ratio promotion dated 15/05/2018 with all back service and monetary benefits or as deemed fit by this Honorable Court.

Bashir Ahmad

Dated. 21/07/2020

Appellant:

Bashir Ahmad S/O Taj Muhammad

Primary Health Care Technologist (BPS-17)

Abdul Sali
ADVOCATE
SUPREME COURT

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OFFICE OF THE DISTRICT HEALTH OFFICER, SWABI

Office Tel: 0938-300053 Fax No. 0938-300051 Email ID: edohealthswabi@yahoo.com
Facebook ID: <https://www.facebook.com/dho.swabi>
Twitter ID: <https://twitter.com/DHOSwabi2>

NO 8022/PA /DHO Office Swabi Dated 27/10/2020
Computer Section DHO Office Swabi

To
Director General Health Services
Khyber Pakhtunkhwa, Peshawar

EA/ 5/783
23/11/2020



SUBJECT: APPEAL FOR BPS-18

Enclosed please find herewith an application in respect of Mr. Bashir Ahmad Ex-Chief Technologist BPS-17 for promotion to BPS-18 on eligibility criteria for further necessary action.

[Signature]
District Health Officer
Swabi

[Signature]
ADDITIONAL
SECRETARY

To,

The Director General Health Services

Peshawar .

Through :- Proper channel

Subject : Appeal for BPS-18

Respected sir ,

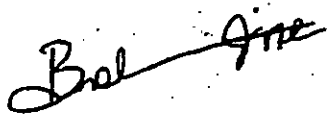
with humble respect in your kind honour that i was served in health department as Chief Technologist in BPS-17 fo the last nine (9) year,s . I was retired on 24/04/2020 . Duing the service i was elligible for BPS-18 by the provencial selection board (PSB) the relevent documents of elligibity fo-BPS-18 are enclosed here with for your kind perusal please.


All codel formalities were obseroved but due to corona virus (Covid-19) that was started during the process due to which my promotion for BPS-18 has been stoped.

I have served in health department for the last 39 year,s with good character. During my serves no complaint was lodged against me .

It is humbly requested in your kind honour that the benifits of BPS-18 may please be granted in the best intrust of general Public please.

I Shall Pray for your long life and prosperity .


Your,s Obediently
Bashir Ahmad
(Chief Technologist)


ADVOCATE
SUPREME COURT

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

Writ Petition No _____/2022

Aux (L) (41)

Bashir Ahmad S/O Taj Muhammad R/O Mohallah Khudar
Khel Post Office Karnal Sher Kalle Swabi

.....Petitioner

VERSUS

1. Govt of KP through Secretary Health at Civil Secretariat Peshawar
2. Chief Secretary KP at Civil Secretariat Peshawar
3. Director General Health Department at Directorate Health Services Warsak Road Peshawar
4. District Health Officer Swabi at DHO Office Swabi
5. Secretary Health KP at Civil Secretariat Peshawar
6. Selection Board for promotion to Senior Clinical Technologist BPS-18 through Secretary Health at Civil Secretariat Peshawar

.....Respondents

Subject: WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN - 1973

RESPECTFULLY SHEWETH:-

1. That petitioner was appointed as Medical Practitioner (BPS-07) vide appointment order dated 21/02/1982.
2. That petitioner was promoted from BPS-7 to BPS-9.

3. That petitioner was thereafter granted promotion grade from BPS-9 to BPS-11 vide order dated 26/09/1990 (Copy of the office order dated 26/09/1990 is attached as Annexure A)
4. That petitioner was promoted from BPS-9 to BPS-12 as senior Medical Technician vide order dated 01/11/1999 (Copy of the promotion order dated 01/11/1999 is attached as Annexure B)
5. That petitioner was promoted from BPS-12 to BPS-14 vide office order dated 31/05/2010 (Copy of the promotion order dated 31/05/2010 is attached as Annexure C)
6. That petitioner is upgraded from Chief Primary Health Care Technician (MP) BPS-16 and Senior Primary Health Care Technician (MP) BPS-14 to the post of Primary Health Care Technologist (MP) BPS-17 vide departmental notification of even number dated 11/05/2020, as visible from posting order dated 29/08/2012 (Copy of the posting order dated 29/08/2012 is attached as Annexure D)
7. That vide notification dated 15/05/2018, the competent authority approved the proposal to enhance the ratio/restructuring of paramedic staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as shown in the table therein (Copy of the notification dated 15/05/2018 is attached as Annexure E)
8. That as per working papers for provincial Selection Board, 284 posts were upgraded to senior clinical technologist (BPS-18) during ratio enhancement/restructuring of paramedical staff health department and MTI for availing promotion due to anomalous allocation in different scale duly signed by Secretary Health. (Copy of working paper is attached as Annexure F)

9. That panel proforma for provincial selection Board regarding petitioner is prepared wherein petitioner is shown in BPS-17 with 6x very good and 1x good ACR in score PERS as 73.8 duly signed by concerned section officer III (Copy of panel proforma for Provincial Selection Board is attached as Annexure G)
10. That ever since 15/05/2018 and later on Selection Board, respondents malafidely, arbitrarily, in a perverse manner, kept sleeping over the consideration of petitioner for promotion to Senior Clinical Technologist (BPS-18) from BPS-17 (Clinical Technologist).
11. That this omission/inaction of respondents continued till 09/07/2020, when petitioner was retired vide notification dated 09/07/2020.
12. That panel of officers for consideration for promotion to BPS-18 include petitioner as Serial No-11 (Copy of the panel of officers for consideration is attached as Annexure H)
13. That petitioner is at serial no 14 in final joint seniority list of technologist (BPS-17) as stood on 15/04/2019 (Copy of the seniority list is attached as Annexure I)
14. That petitioner filed appeal dated 21/07/2020 for formal promotion order to Senior Clinical Technologist (BPS-18) before District Health Officer Swabi through proper channel which is forwarded vide order no 8022/PP DHO Office Swabi dated 27/10/2020 (Copy of the departmental appeal dated 21/07/2020 along with covering letter dated 27/10/2020 is attached as Annexure J)

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15. That thereafter petitioner constantly was running and pursuing his request/appeal mentioned above, orally and in writing, inspite of old age in offices of DG Health and Secretary Health/Chief Secretary but of no use (Copies of applications are attached as Annexure K)
16. That finding no other efficacious remedy, petitioner approaches this Honorable Court on following grounds:

GROUND

- A. Because petitioner can't be blamed/penalized for the inaction/omission of the respondents.
- B. Because the inaction/omission of the respondents is illegal, without lawful authority, without justification consequently perverse, fanciful, arbitrary, coram non iudice and based on malafide.
- C. Because petitioner by no stretch of imagination can be deprived of fruits of notification dated 15/05/2018 for restructuring and enhanced ratio of restructuring of paramedic staff of Health Department in higher grades.
- D. Because petitioner can't be deprived of the benefits of promotion to the post of Senior Clinical Technologist (BPS-18) with effect from the date of recommendation of Selection Board (i.e 15/05/2018) with all back benefits.
- E. Because petitioner is jobless and entitled to proforma promotion with all back benefits w.e.f notification dated 15/05/2018 when posts were made available.

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- F. Because petitioner has not received the benefits of higher scale and is jobless after retirement and therefore entitled to proforma promotion w.e.f notification dated 15/05/2018 when posts were made available.
- G. Because as per consistent judgments of High Court/Supreme Court, to be promoted to a higher post is not a vested right but consideration for promotion to the higher post is a vested right of the petitioner.
- H. Because petitioner fulfills all the criteria for promotion to the higher post much earlier than the notification of restructuring/availability of vacancies on 15/05/2018.
- I. Because mere a formal order of promotion to BPS-18 over the recommendation of PSB/DPC was needed on 15/05/2018 in a reasonable time.
- J. Because reasonable time cannot be stretched for multiple years.
- K. Because it is inalienable right of the petitioner to be considered for promotion.
- L. Because there is neither original nor appellate order much less final, thus petitioner can't approach Service Tribunal as per Section 4 of KP Service Tribunal Act 1974 which is reproduced as under:

"4. Any civil servant aggrieved by any final order, whether original or appellate made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him 4 [or within six

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months of the establishment of the appropriate Tribunal, whichever is later], prefer an appeal to the Tribunal having jurisdiction in the matter:

Provided that —

(a) Where an appeal, review or representation to a departmental authority is provided under the [Khyber Pakhtunkhwa] Civil Servants Act, 1973, or any rules against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was preferred;

(b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining-

(i) the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher post or grade :or

(ii) the quantum of departmental punishment or penalty imposed on a civil servant as a result of a departmental inquiry, except where the penalty imposed is dismissal from service, removal from service or compulsory retirement [; and]

[(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969.] Explanation. — In this section, "departmental authority" means any authority other than a Tribunal which is competent to make an order in respect of any of the terms and conditions of service of civil servants."

- (47)
- M. Because as per Article 4 of Constitution of Pakistan 1973 it is fundamental right of the petitioner as well as every citizen of Pakistan to be dealt in accordance with law, therefore petitioner has a fundamental right to be considered for promotion to the higher post. (D)
- N. Because petitioner can't be kept in one grade for multiple years/decades without any prospect or potential promotion.
- O. Because this Honorable Court has got exclusive powers to direct respondents to act as per law/rules through writ of mandamus by considering the petitioner for promotion to the higher post in light of their own notification of restricting and enhanced ratio of vacancies issued on 15/05/2018.
- P. Because petitioner has been discriminated thereby violating Article 25/27 of Constitution of Pakistan 1973.
- Q. Because petitioner has been discriminated to the extent of non-consideration for promotion which inaction/omission is a clear discrimination as per Article 27 of the Constitution of Pakistan 1973 as other similarly placed employees are regularly considered for promotion in the Health Department as well as other Departments of the Provincial Government.
- R. Because the question of eligibility and ineligibility can be seen by the Service Tribunal and the question of fitness can be determined by this Honorable Court as under section 4(b) of Act *ibid*, the fitness of a civil servant for promotion has been excluded from the jurisdiction of the Services Tribunal and therefore the bar attracted under Article 212 of the Constitution shall not be applicable in case of fitness.
- S. Because petitioner is eligible for promotion as visible from their own recommendations/proformas/ACRs/length of time.

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- T. Because in the instant case, the respondents are not disputing eligibility/ineligibility and fitness/unfitness, rather the eligibility as well as fitness is admitted by the respondents.
- U. Because the requisite of available vacancy and ratio of a particular class of employees has also been clarified through their own notification dated 15/05/2018.
- V. Because the issue involved in this case is that the respondents are not acting upon their own notification dated 15/05/2018 wherein vacancies and ratio was created/clarified for the petitioners and thereafter formal convening of PSB/DPC whereas working papers were also admittedly prepared for the same.
- W. Because this Honorable Court in a writ of mandamus under Article 199 of the Constitution of Pakistan can direct any government servant/officer to act in accordance with law and in the instant case an appropriate writ can be issued against the respondents for acting upon their notification dated 15/05/2018 thereby considering petitioner for promotion as eligible or ineligible, fit or unfit, w.e.f the date of notification dated 15/05/2018 with all back monetary and service benefits.
- X. Because non-considering petitioner for promotion and not giving effect to their own notification dated 15/05/2018 is a recurring cause of action which arises to the petitioner at the end of every month.

PRA YER

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It is therefore humbly prayed that on acceptance of this writ petition, respondents may please be directed that:

- I. Inaction/Omission of the respondents to convene PSB/DPC and act upon its recommendation and give effect to notification dated 15/05/2018 of restructuring/enhanced ratio of promotion to higher grades is perverse, illegal, malafidely, without lawful authority, coram non judice and ineffective upon the rights of the petitioner.
- II. Respondents may please be directed to consider petitioner for proforma promotion from the post of Primary Health Care Technologist (BPS-17) to Senior Clinical Technologist (BPS-18) w.e.f date of restructuring/enhanced ratio promotion dated 15/05/2018 with all back service and monetary benefits or as deemed fit by this Honorable Court.

OR IN ALTERNATIVE

Respondents may please be directed to pass a well-reasoned order upon the departmental appeal dated 21/07/2020 as to why petitioner has been deprived of benefits of promotion of Senior Clinical Technologist (BPS-18), in spite of their own notification dated 15/05/2018 although petitioner is equipped with requisite criteria. Any other relief deemed fit in the circumstances of the case and not specifically asked for may also be graciously granted.

50 (10)

INTERIM RELIEF:

Respondents may please be restrained from filing up of one vacant post of Senior Clinical Technologist BPS-18 till decision of the case.

Bashir Ahmad

Dated. 1/11/2021

Petitioner

Through

Amjad Ali (Mardan)
Advocate
Supreme Court of Pakistan
Office at Distt: Courts Mardan

Amjad Ali

ADVOCATE
SUPREME COURT

CERTIFICATE

It is therefore certified that no writ petition has been filed earlier on the instant subject matter.

Amjad Ali
ADVOCATE
SUPREME COURT

LIST OF BOOKS

1. CONSTITUTION OF PAKISTAN 1973
2. OTHER AS PER NEED

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR

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Writ Petition No. _____ /2021

Bashir Ahmad S/O Taj Muhammad R/O Mohallah Khudar Khel
Post Office Karnal Sher Kalle Swabi

.....Petitioner

VERSUS

Govt of KP through Secretary Health at Civil Secretariat Peshawar
and others

.....Respondents

AFFIDAVIT

I, Bashir Ahmad S/O Taj Muhammad R/O Mohallah Khudar Khel Post Office Karnal Sher Kalle Swabi (Petitioner) do solemnly declare and verify on oath that the contents of the attached writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

[Handwritten Signature]

Deponent
CNIC: 16202-0958794-5
Cell: 03018351094

Identified by:

[Signature]
ADVOCATE
SUPREME COURT
Amjad Ali (Mardan)
Advocate
Supreme Court of Pakistan

40276
Certified
affirmal
day of *Nov*
at *Taj Muhammad Khel*
who is *Amjad Ali*
Who is present
[Signature]
22/11/2021

(52)

PESHAWAR HIGH COURT PESHAWAR
FORM "A"

ORDER SHEET

<i>Date of Order or Proceedings</i>	<i>Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary</i>
2	3
22.11.2022	<p><u>WP No. 3820-P/2022.</u></p> <p>Present:</p> <p style="padding-left: 40px;">Mr. Amjid Ali, Advocate for petitioner.</p> <p style="padding-left: 40px;">Mr. Atif Ali Khan, AAG, alongwith Javed Saleem, Focal Person DGHS, for respondents.</p> <p style="text-align: center;">*****</p> <p><u>ROOH-UL-AMIN KHAN, J.-</u> By invoking the constitutional jurisdiction of this court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner has prayed that (i) inaction/omission of the respondents to convene PSB/DPC and act upon its recommendation and give effect to the notification dated 15.5.2018 of restructuring /enhanced ratio of promotion to higher grades is perverse, illegal, malafide, without lawful authority, corm non judice and ineffective upon the rights of the petitioners;(ii) respondents may please be directed to consider the petitioner for proforma promotion from Senior Primary Health Care Technologist (BPS-17) to the post of Senior Clinical Technologist (BPS-18) w.e.f date of</p>

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notification of restructuring/enhanced ratio promotion dated 15.5.2018 with all back service and monetary benefits or as deemed fit by this Hon'ble Court.

2. The moment, the case was taken up for hearing, learned counsel for petitioner stated that he will not press this petition, provided the respondents are directed to decide the departmental appeal filed by the petitioner which is pending for the last two years. Learned AAG was put on notice who requested for time to consult the relevant quarter. After a while he turned up and stated that the departmental appeal of petitioner shall be decided within a fortnight positively.

3. In view of above, the instant writ petition is disposed off accordingly.

Announced on;
22nd of November, 2022


SENIOR PUISNE JUDGE


JUDGE



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

SOH-III/8-60/2023 (Mr. Bashir Ahmad)
Dated the Peshawar 19th May, 2023

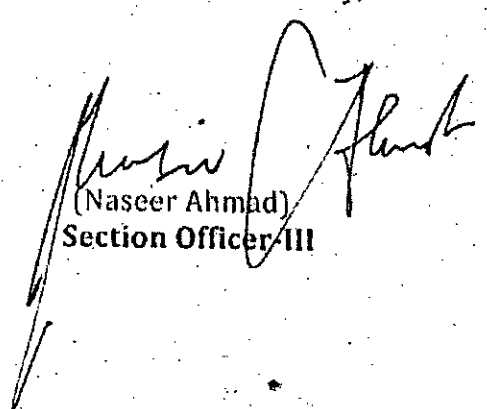
Aux (M)
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To.

**The Director General,
Health Services, Khyber Pakhtunkhwa,
Peshawar.**

**SUBJECT: WRIT PETITION NO. 3820-P/2022 TITLED BASHIR AHMAD V/S GOVT
OF KHYBER PAKHTUNKHWA & OTHERS.**

I am directed to refer to your letter No. 569-70/Promotion Cell, dated 01-02-2023 on the subject noted above and to state that the appeal regarding promotion in respect of Mr. Bashir Ahmad (Retired), PHC Technologist (M.P) (BS-17) to the post of Senior PHC Technologist (M.P) (BS-18) is hereby regretted on the grounds that the appellant has retired from Govt. service on 23-04-2020, before the recommendations of the Provincial Selection Board (PSB), made in its meeting held on 31-07-2021 due to which he was ineligible for promotion under Para-VII of NWFP Civil Servants Promotion Policy, 2009, please.


(Naseer Ahmad)
Section Officer-III

Endst: even no & date.

Copy forwarded to the:-

1. The Section Officer (Lit-I) Health Department.
2. PA to Deputy Secretary (Litigation) Health Department.
3. PS to Secretary Health, Khyber Pakhtunkhwa.


Section Officer-III

THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 797/2018

Date of Institution ... 05.06.2018

Date of Decis on... 20.12.2022



Aux (N)
(55)

Murammad Saeed, (Retired), Senior PHC Technician (BPS-14), R/O Shah Nawaz Town, Near Mufti Madrassa Pajagi Road, Basheer Abad.

... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through the Chief Secretary Khyber Pakhtunkhwa Peshawar and 03 others.

... (Respondents)

SYED NOMAN ALI BUKHARI,
Advocate

--- For appellant.

MR. MUHAMMAD JAN,
District Attorney

--- For respondents.

SALAH-UD-DIN
MIAN MUHAMMAD

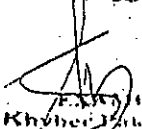
--- MEMBER (JUDICIAL)
--- MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Through the instant service appeal, the appellant has invoked jurisdiction of this Tribunal with the prayer copied as below:-

"That on acceptance of this appeal, the respondents may be directed to consider the appellant for proforma/notional promotion as PHC Technologist (BFS-17) from his due date with all back and consequential benefits. Any other

ATTESTED


CHAIRMAN
Khyber Pakhtunkhwa
Services Tribunal
Peshawar

remedy, which this tribunal deems fit and appropriate that may also be awarded in favour of appellant.

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2. Precise averments as raised by the appellant in his appeal, are that he was appointed as Technician in Health Department on 11.12.1985 and was retired as Senior PHC Technician (BS-14) on attaining the age of superannuation on 02.01.2018. Rules for Paramedical posts of Government of Khyber Pakhtunkhwa in Health Department were promulgated on 10th May 2016 vide Notification dated 10.05.2016. Several posts of Senior PHC Technologist (BS-17) were vacant in promotion quota and the appellant was also eligible for promotion, therefore, working paper including name of the appellant was prepared and was sent for promotion to the post of Senior PHC Technologist (BS-17) but the meeting of Departmental Promotion Committee was delayed and the appellant could not be promoted due to his retirement on 02.01.2018. The meeting of the Departmental Promotion Committee was then held on 30.01.2018, wherein colleagues of the appellant as well as his juniors were promoted to the post of Senior PHC Technologist (BS-17). The name of the appellant was though considered in the meeting of DPC held on 30.01.2018 but he was not promoted on the ground that he stood retired on 02.01.2018. Notification regarding promotion of Paramedics to the post of Technologist (BS-17) was issued on 01.02.2018, wherein the name of the appellant was not included, constraining him to file departmental appeal for his

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

notional promotion, however the same was not responded, hence the instant service appeal.

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3. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal.

4. We have heard the arguments of learned counsel for both the sides and have perused the record with their valuable assistance.

5. A perusal of the record would show that the appellant was serving as Senior PHC Technician (BS-14), when working paper for promotion to the post of PHC Technologist (MP) (BS-17) was prepared and sent to the Departmental Promotion Committee. The same is available on the record and is bearing the name of the appellant reflected at serial No. 09. According to the working paper, there was no legal impediment in the way of the appellant for his promotion to the post of Senior PHC Technologist (MP) (BS-17), however the meeting of Departmental Promotion Committee was delayed and was held on 30.01.2018. According to the minutes of meeting of Departmental Promotion Committee held on 30.01.2018, the appellant was not considered for promotion for the only reason that he had retired on 02.01.2018. Vide Notification dated 01.02.2018, issued upon recommendations of the Departmental Promotion Committee, even juniors of the appellant were promoted to the post of PHC Technologist (MP) (BS-17). August Supreme

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Court of Pakistan in its judgment reported as 2021 SCMR 1266 has held as below:-

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"9. In the present case the DPC has not considered the case for promotion of respondent and the reason assigned is that he has retired. This reason given by the DPC, apparently, is no reason in law, in that, once the Model Working Paper for promotion of respondent was placed before the DPC, it was incumbent upon it to have considered and decided the same, for that, though the law does not confer any vested right to a government servant to grant of promotion but the government servant surely has a right in law to be considered for grant of promotion. It is because of the department's own non-vigilance and the DPC being insensitive to the employees who were on the verge of retirement of which the employees could not be made responsible, cannot simply brush aside the case of an employee by merely saying that he has retired. Once the case of respondent has matured for promotion while in service and placed before the DPC before retirement, it was incumbent upon the DPC to fairly, justly and honestly consider his case and then pass an order of granting promotion and in case it does not grant promotion, to give reasons for the same. This was not done by the DPC and in our view such was a miscarriage of justice to respondent."

6. Similar in case of "Secretary School of Education and others Versus Rana Arshad Khan and others" (2012 SCMR 126), august apex court has held that denial of promotion to a civil servant due to retirement on account of delay occasioned in the Provincial Selection Board meeting, without any justifiable reasons, a civil servant could not be held to suffer for inaction of the concerned Authority."

7. According to the working paper submitted to Departmental Promotion Committee for promotion to the post of Senior PHC Technologist (MP) (BS-17), the appellant was eligible to be considered for promotion in accordance with law, therefore, a legal

ATTESTED


EXAMINER
Khyber Pakhtunkhwa

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vested right to be considered for promotion had accrued in favour of the appellant but he was wrongly and illegally deprived of the same.

8. In view of the above discussion, the appeal in hand is allowed and it is directed that the case of the appellant be placed before the Departmental Promotion Committee for consideration for pro-forma/notional promotion to the post of PHC Technologist (MP) (BS-17) from the due date within a period of 03 months of receipt of copy of this judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
20.12.2022

(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application	10/11/23
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Date of Completion of Copy	10/11/23
Date of Delivery of Copy	10/11/23

2023 P L C (C.S.) 336

[Supreme Court of Pakistan]

Present: Sardar Tariq Masood, Amin-ud-Din Khan and Muhammad Ali Mazhar, JJ
FEDERATION OF PAKISTAN through Secretary, Ministry of National Health Services

Versus

JAHANZEB and others

Civil Petitions Nos. 3157 to 3165 of 2022, decided on 26th September, 2022.

(Against the judgment dated 21.05.2022 passed by the Federal Service Tribunal, Islamabad, in Appeals Nos. 305(R) to 313(R) CS of 2020)

(a) Civil service---

---Move-over policy---Scope---Move-over cannot be construed as promotion to the post of higher Basic Pay Scale, but the higher pay scale is treated to be an extension of the existing Basic Pay Scale of the post held by the employee---If an employee was not promoted and meanwhile reached to the maximum stage of his pay scale then obviously, he could be stagnant in his earlier pay scale due to attainment of maximum stage, therefore, as per erstwhile move-over Policy, the modus of move-over was devised to cope with such situations in accordance with the criteria provided under Sl. No. 73 to Sl. No. 91, (O.M. 1975 to 1999) incorporated in the Establishment Code 2007.

(b) Fundamental Rules---

---F.R. 17---Proforma promotion---Scope---If a person is not considered due to any administrative slip-up, error or delay when the right to be considered for promotion is matured and without such consideration, he reaches to the age of superannuation before the promotion, then obviously the avenue or pathway of proforma promotion comes into field for his rescue---If he lost his promotion on account of any administrative oversight or delay in the meeting of Departmental Promotion Committee (DPC) or Selection Board despite having fitness, eligibility and seniority, then in all fairness, he has a legitimate expectation for proforma promotion with consequential benefits---Unjustified delay in proforma promotion cases triggers severe hardship and difficulty for the civil servants and also creates multiplicity of litigation---Competent authority should fix a timeline with strict observance for the designated committees of proforma promotions in order to ensure rational decisions on the matters expeditiously with its swift implementation, rather than dragging or procrastinating all such issues inordinately or without any rhyme or reasons which ultimately compels the retired employees to knock the doors of Courts of law for their withheld legitimate rights which could otherwise be granted to them in terms of applicable rules of service without protracted litigation or Court's intervention.

Ch. Amir Rehman, Additional A.G.P., Iqbal Ahmed, J.S. and G.M. Jakhrani, D.D.(L) for Petitioner.

Nemo for Respondents.

Date of hearing: 26th September, 2022.

JUDGMENT

MUHAMMAD ALI MAZHAR, J.---The aforesaid Civil Petitions for leave to appeal are directed against the common Judgment dated 21.05.2022, passed by learned Federal Service Tribunal, Islamabad ("Tribunal") whereby Service Appeals Nos. 305(R) to 313(R)CS/2020 were allowed with the directions to the department to take steps for grant of move-over to the appellants (respondents herein) from the date on which they became eligible.

2. The short-lived facts of the case are that the respondents were performing their duties in the Population Welfare Department. After retirement, they were allowed proforma promotion from BPS-17 to BPS-18 and BPS 18 to BPS-19 in compliance with the judgments of the learned Tribunal dated 23.10.2008 and 09.07.2010, and the Judgments of this Court dated 30.06.2009 and 24.11.2010. However, the respondents claimed the entitlement of move-over w.e.f. 01.12.2000 on the notion that they had reached the maximum stage of pay scale on 01.12.1999. Their request was forwarded to the concerned Ministry and thereafter, the Move-Over Committee ("Committee") was constituted and a meeting was convened on 31.07.2019.

Aux (0)
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After discussion, the Committee decided that the respondents are not entitled for grant of move-over as requested by them and the decision of the Committee was communicated accordingly. Being aggrieved, the respondents filed representations to the department which were rejected; thereafter the respondents approached the learned Tribunal where their appeals were allowed.

3. The learned Additional A.G.P, argued that the learned Tribunal failed to consider the record with proper application of mind and reached an erroneous conclusion. It was further averred that the respondents were not regularly promoted, hence they were not entitled to the benefit of move-over. It was further contended that the learned Tribunal ignored that the cause of action arose to the respondents in the year 2000, but the appeal was filed in the year 2020 without giving any plausible explanation for the delay.

4. Heard the arguments. The bone of contention between the petitioner and private respondents is whether, before the proforma promotion, the respondents had already reached the maximum stage of BPS-19 and, hence, were entitled for grant of move-over to BPS-20. The controversy triggered when, on 19.11.2019, a memorandum was communicated to the respondents with regard to the decision arrived at in the meeting of the Committee from BPS-19 to BPS-20 to the ex-employees of the defunct Ministry of Population Welfare Department, whereby they were denied the benefit of move-over from BPS-19 to BPS-20. The minutes of meeting are on record which demonstrate a duly incorporated table showing the names of respondents at Serial Nos.1 to 6 and 9 to 11 (Appellants before the Tribunal), and in Paragraph No. 3 of the same minutes of meeting it is noticeably and unambiguously elucidated that the AGPR, Accounts offices, Punjab and KPK have confirmed that the officers mentioned in the minutes of the meeting had already reached maximum of BPS-19 before the date of their proforma promotion, hence they are entitled for grant of move-over to BPS-20 but said recommendations were not accepted by the Committee and, in Paragraph No. 6, certain observations were made that proforma promotions were granted under the directions of the Courts as in some cases juniors were granted proforma promotion and on the basis of this wrong act a large number of petitioners accrued their right for promotion. Seemingly, the Committee rejected the request of move-over with the resentment and exasperation that the proforma promotion was granted under the orders of the Courts which displeased them and, instead of deciding the issue of move-over on its merits, the request was turndown without proper application of mind which deprived the respondents of their right of move-over which accrued before the date of proforma promotion.

5. It is a well settled exposition of law that a move-over cannot be construed as promotion to the post of higher Basic Pay Scale, but the higher pay scale is treated to be an extension of the existing Basic Pay Scale of the post held by the employee. Though the Government Policy for extending move-over was discontinued which has also been mentioned by the learned Tribunal with the cutoff date as 01.07.2002, but the fact remains that the respondents were not claiming their move-over after its discontinuation or revision of the policy but they were pursuing the entitlement of proforma promotion accrued in the next higher grade before the cut-off date. If an employee was not promoted and meanwhile reached to the maximum stage of his pay scale then obviously, he could be stagnant in his earlier pay scale due to attainment of maximum stage, therefore, as per erstwhile move-over Policy, the modus of move-over was devised to cope with such situations in accordance with the criteria provided under Sl. No.73 to Sl. No.91, (O.M. 1975 to 1999) incorporated in the Establishment Code 2007. The respondents were deprived of the benefit vide memorandum dated 19.11.2019 and being aggrieved, they approached to the learned Tribunal for relief, thus we do not subscribe the arguments of the learned Additional Attorney General that the appeals were time barred before the learned Tribunal which plea has already been dealt with adequately by the Tribunal in the impugned judgment.

6. If a person is not considered due to any administrative slip-up, error or delay when the right to be considered for promotion is matured and without such consideration, he reaches to the age of superannuation before the promotion, then obviously the avenue or pathway of

proforma promotion comes into field for his rescue. If he lost his promotion on account of any administrative oversight or delay in the meeting of DPC or Selection Board despite having fitness, eligibility and seniority, then in all fairness, he has a legitimate expectation for proforma promotion with consequential benefits. The provision for proforma promotion is not alien or unfamiliar to the civil servant service structure but it is already embedded in Fundamental Rule 17, wherein it is lucidly enumerated that the appointing authority may, if satisfied that a civil servant who was entitled to be promoted from a particular date was, for no fault of his own, wrongfully prevented from rendering service to the Federation in the higher post, direct that such civil servant shall be paid the arrears of pay and allowances of such higher post through proforma promotion or upgradation arising from the antedated fixation of his seniority. We often noted that unjustified delay in proforma promotion cases trigger severe hardship and difficulty for the civil servants and also creates multiplicity of litigation. It would be in the fitness of things that the competent authority should fix a timeline with strict observance for the designated committees of proforma promotions in order to ensure rational decisions on the matters expeditiously with its swift implementation, rather than dragging or procrastinating all such issues inordinately or without any rhyme or reasons which ultimately compels the retired employees to knock the doors of Courts of law for their withheld legitimate rights which could otherwise be granted to them in terms of applicable rules of service without protracted litigation or Court's intervention.

7. The learned Tribunal has also referred to the Office Memorandum dated 7.10.1999 in which, according to the policy instructions of 1986, civil employees of the Federal Government were allowed to move-over to the next highest basic pay scale with effect from 1st December of the year following the year in which they reach the maximum. It was further mentioned in the same office memorandum that these instructions were inferred erroneously to imply one year's stay at the maximum before entitlement to move-over, and the term "following year" used in the instructions of 1986 in fact means the next calendar year. When the present respondents were granted proforma promotion to BPS-19 with effect from 29.12.1999 vide notification dated 15.01.2018, they had already reached the maximum stage of BPS-19, therefore, they were entitled to be moved-over to BPS-20. After considering the pros and cons, the learned Tribunal rightly set aside the decision of the Committee dated 31.7.2019, whereby the respondents were denied the benefit of move-over which was accrued to them before the date of proforma promotion. All factual and legal aspects have already been considered and dealt with by the book in the impugned judgment of the learned Tribunal.

8. In the wake of the above discussion, we do not find any irregularity or perversity in the impugned judgment passed by the learned Tribunal. The Civil Petitions are dismissed and leave is refused.

MWA/F-15/SC

Petitions dismissed.

بعد الت
سپر 7 کنوخواہ سرورس ٹریڈنگ کمپنی پرائیویٹ لمیٹڈ

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Appellant 2023
مخائب

12/6/2023

مورخہ:

سپر انڈ

مقدمہ:

Service appeal

دعویٰ:

جرم:

بنام: حکومت
سپر کنوخواہ پرائیویٹ
سیکرٹری سٹیٹ و غیرہ

باجت تحریر آفد

مقدمہ مندرجہ عنوان بالا اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

ان مقام کے لیے امجد علی ایڈووکیٹ، سپریم کورٹ آف پاکستان پرائیویٹ لمیٹڈ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء وصولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زاریں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا اپیل کی براندگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ و جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ مستند رہے۔

2023

ماہ جون

المرقوم: 12

القبح

گواہ

کے لیے منظور ہے۔

مقام ساور

Accepted by
ATTESTED

Handwritten signature

Bashir Ahmad Appellant

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